

STATE V. BUSTAMANTE

This memorandum opinion was not selected for publication in the New Mexico Appellate Reports. Please see Rule 12-405 NMRA for restrictions on the citation of unpublished memorandum opinions. Please also note that this electronic memorandum opinion may contain computer-generated errors or other deviations from the official paper version filed by the Court of Appeals and does not include the filing date.

**STATE OF NEW MEXICO,
Plaintiff-Appellant,
v.
ADAM BUSTAMANTE,
Defendant-Appellee.**

NO. 35,750

COURT OF APPEALS OF NEW MEXICO

November 21, 2016

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY, Charles W.
Brown, District Judge

COUNSEL

Hector H. Balderas, Attorney General, Santa Fe, NM, Jason Yamato, Assistant Attorney General, Albuquerque, NM, for Appellee

The Law Offices of the Public Defender, Christopher Dodd, Albuquerque, NM, for Appellant

JUDGES

LINDA M. VANZI, Judge. WE CONCUR: MICHAEL E. VIGIL, Chief Judge, STEPHEN G. FRENCH, Judge

AUTHOR: LINDA M. VANZI

MEMORANDUM OPINION

VANZI, Judge.

{1} The State sought to appeal from an order by the district court entitled “order granting Defendant’s motion to compel production of forensic copy.” [DS 2, 4; RP 11-12]

We issued a notice proposing to dismiss for lack of a final, appealable order. In response, the State filed a motion to dismiss, wherein the State does not oppose our proposed disposition and indicates its intent not to pursue the appeal. Defendant filed a response, requesting that this Court issue an opinion to ensure “a full and complete record in this case.”

{2} For the reasons stated above and set forth in our notice of proposed disposition, we dismiss the State’s appeal.

{3} IT IS SO ORDERED.

LINDA M. VANZI, Judge

WE CONCUR:

MICHAEL E. VIGIL, Chief Judge

STEPHEN G. FRENCH, Judge