

**STATE V. CALDERON**

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**STATE OF NEW MEXICO,**  
Plaintiff-Appellee,  
v.  
**HUGO CALDERON,**  
Defendant-Appellant.

NO. 30,667

COURT OF APPEALS OF NEW MEXICO

May 31, 2011

APPEAL FROM THE DISTRICT COURT OF DOÑA ANA COUNTY, Fernando Macias,  
District Judge

**COUNSEL**

Gary K. King, Attorney General, Santa Fe, NM, for Appellee

Herman E. Ortiz, Las Cruces, NM, for Appellant

**JUDGES**

MICHAEL E. VIGIL, Judge. WE CONCUR: JAMES J. WECHSLER, Judge, TIMOTHY L. GARCIA, Judge

**AUTHOR:** MICHAEL E. VIGIL

**MEMORANDUM OPINION**

**VIGIL, Judge.**

Summary affirmance was proposed for the reasons stated in the notice of proposed summary disposition. No memorandum opposing summary affirmance has been filed and the time for doing so has expired.

**AFFIRMED.**

**IT IS SO ORDERED.**

**MICHAEL E. VIGIL, Judge**

**WE CONCUR:**

**JAMES J. WECHSLER, Judge**

**TIMOTHY L. GARCIA, Judge**