

**STATE V. CHARLEY**

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**STATE OF NEW MEXICO,  
Plaintiff-Appellee,  
v.  
JAY CHARLEY,  
Defendant-Appellant.**

No. 35,004

COURT OF APPEALS OF NEW MEXICO

March 29, 2016

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY, Briana H.  
Zamora, District Judge

**COUNSEL**

Hector H. Balderas, Attorney General, Santa Fe, NM, for Appellee

Jorge A. Alvarado, Chief Public Defender, Santa Fe, NM, Steven J. Forsberg, Assistant Appellate Defender, Albuquerque, NM, for Appellant

**JUDGES**

J. MILES HANISEE, Judge. WE CONCUR: MICHAEL E. VIGIL, Chief Judge,  
RODERICK T. KENNEDY, Judge

**AUTHOR:** J. MILES HANISEE

**MEMORANDUM OPINION**

**HANISEE Judge.**

{1} Defendant-Appellant Jay Charley (Defendant) has appealed from a conviction for aggravated DWI. We previously issued a notice of proposed summary disposition in which we proposed to uphold the conviction. Defendant has filed a combined

memorandum in opposition and motion to accept as timely. The motion is hereby granted.

**{2}** Defendant continues to challenge the sufficiency of the evidence to support the conviction. [MIO 1] We gather that he may also renew his challenge to the denial of his motion to suppress. [MIO 1] However, Defendant advances no new argument or authority. We therefore remain unpersuaded.

**{3}** Accordingly, for the reasons described in the notice of proposed summary disposition, we affirm.

**{4} IT IS SO ORDERED.**

**J. MILES HANISEE, Judge**

**WE CONCUR:**

**MICHAEL E. VIGIL, Chief Judge**

**RODERICK T. KENNEDY, Judge**