

<b>STATE V. HAGAN</b>
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**STATE OF NEW MEXICO,**  
Plaintiff-Appellant,  
v.  
**MICHAEL HAGAN,**  
Defendant-Appellee.

NO. 31,107

COURT OF APPEALS OF NEW MEXICO

September 14, 2011

APPEAL FROM THE DISTRICT COURT OF LEA COUNTY, William G. Shoobridge,  
District Judge

**COUNSEL**

Gary K. King, Attorney General, Margaret McLean, Assistant Attorney General, Santa Fe, NM, for Appellant

J. Robert Beauvais, P.A., J. Robert Beauvais, Ruidoso, NM, for Appellee

**JUDGES**

LINDA M. VANZI, Judge. WE CONCUR: CYNTHIA A. FRY, Judge, MICHAEL E. VIGIL,  
Judge

**AUTHOR:** LINDA M. VANZI

**MEMORANDUM OPINION**

**VANZI, Judge.**

The State seeks an appeal as of right from an interlocutory order disqualifying Chief Deputy District Attorney Diana Luce from prosecuting this case. We issued a notice of proposed summary disposition, in which we proposed to dismiss the appeal. The State

and Defendant Michael Hagan have each filed a memorandum in support of the proposed summary dismissal. Accordingly, for the reasons stated in our notice of proposed summary disposition, we dismiss this appeal and remand for further proceedings in the district court.

**IT IS SO ORDERED.**

**LINDA M. VANZI, Judge**

**WE CONCUR:**

**CYNTHIA A. FRY, Judge**

**MICHAEL E. VIGIL, Judge**