

<b>STATE V. HERRERA</b>
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**STATE OF NEW MEXICO,**  
Plaintiff-Appellee,  
v.  
**MARIO P. HERRERA,**  
Defendant-Appellant.

NO. 29,697

COURT OF APPEALS OF NEW MEXICO

November 16, 2009

APPEAL FROM THE DISTRICT COURT OF RIO ARRIBA COUNTY, Timothy L.  
Garcia, District Judge

**COUNSEL**

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

Mario P. Herrera, Espanola, NM, Pro Se Appellant

**JUDGES**

JAMES J. WECHSLER, Judge. WE CONCUR: CELIA FOY CASTILLO, Judge,  
ROBERT E. ROBLES, Judge

**AUTHOR:** JAMES J. WECHSLER

**MEMORANDUM OPINION**

**WECHSLER, Judge.**

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

Dismissed.

**IT IS SO ORDERED.**

**JAMES J. WECHSLER, Judge**

**WE CONCUR:**

**CELIA FOY CASTILLO, Judge**

**ROBERT E. ROBLES, Judge**