

STATE V. OSCAR H

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STATE OF NEW MEXICO,
Plaintiff-Appellant,
v.
OSCAR H.,
Child-Appellee.

No. 30,261

COURT OF APPEALS OF NEW MEXICO

July 20, 2010

APPEAL FROM THE DISTRICT COURT OF CURRY COUNTY, Robert S. Orlik, District
Judge

COUNSEL

Gary K. King, Attorney General, Santa Fe, NM, M. Victoria Wilson, Albuquerque, NM,
for Appellant

Hugh W. Dangler, Chief Public Defender, Oscar Hernandez, Assistant Appellate
Defender, Santa Fe, NM, for Appellee

JUDGES

JONATHAN B. SUTIN, Judge. WE CONCUR: MICHAEL D. BUSTAMANTE, Judge,
CELIA FOY CASTILLO, Judge

AUTHOR: JONATHAN B. SUTIN

MEMORANDUM OPINION

SUTIN, Judge.

The State appeals the district court's order dismissing with prejudice a delinquency petition alleging that Child committed assault on a peace officer and aggravated battery

on a peace officer. We issued a notice of proposed summary disposition, proposing to affirm. According to the response filed by the State, the State does not oppose the proposed summary disposition. Based on the State's response, and for the reasons in the notice of proposed summary disposition, we affirm the order of dismissal.

IT IS SO ORDERED.

JONATHAN B. SUTIN, Judge

WE CONCUR:

MICHAEL D. BUSTAMANTE, Judge

CELIA FOY CASTILLO, Judge