

STATE V. PIEDRA

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STATE OF NEW MEXICO

Plaintiff-Appellee,

v.

ABRAHAM PIEDRA,

Defendants-Appellant.

No. 33,578

COURT OF APPEALS OF NEW MEXICO

July 8, 2014

APPEAL FROM THE DISTRICT COURT OF OTERO COUNTY, Jerry H. Ritter, Jr.,
District Judge

COUNSEL

Gary K. King, Attorney General, Santa Fe, NM, Jacqueline R. Medina, Assistant
Attorney General, Albuquerque, NM, for Appellee

The Law Offices of the Public Defender, Jorge A. Alvarado, Chief Public Defender,
Santa Fe, NM, for Appellant

JUDGES

CYNTHIA A. FRY, Judge. WE CONCUR: JAMES J. WECHSLER, Judge, MICHAEL D.
BUSTAMANTE, Judge

AUTHOR: CYNTHIA A. FRY

MEMORANDUM OPINION

FRY, Judge.

{1} Defendant Abraham Piedra (“Piedra”) appeals the conviction and sentence entered in this case. This Court’s notice of proposed summary disposition proposed to

reverse on the basis that the record does not support a conclusion that Piedra knowingly and intelligently waived his right to counsel before being permitted to represent himself at trial. [CN 4-5] In response, the State has filed a notice of its intent not to file a motion in opposition. We, therefore, reverse the judgment and sentence entered below and remand the case to the district court for new trial.

IT IS SO ORDERED.

CYNTHIA A. FRY, Judge

WE CONCUR:

JAMES J. WECHSLER, Judge

MICHAEL D. BUSTAMANTE, Judge