

STATE V. ROMERO

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STATE OF NEW MEXICO,
Plaintiff-Appellee,
v.
ROBERT ROMERO,
Defendant-Appellant.

NO. 30,914 consolidated
with NO. 30,992

COURT OF APPEALS OF NEW MEXICO

September 26, 2011

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY, Charles W.
Brown, District Judge

COUNSEL

Gary K. King, Attorney General, Santa Fe, NM, M. Anne Kelly, Albuquerque, NM, for
Appellee

Jacqueline L. Cooper, Acting Chief Public Defender, Santa Fe, NM, for Appellant

JUDGES

JAMES J. WECHSLER, Judge. WE CONCUR: LINDA M. VANZI, Judge, J. MILES
HANISEE, Judge

AUTHOR: JAMES J. WECHSLER

MEMORANDUM OPINION

WECHSLER, Judge.

Defendant appeals the revocation of his probation. In our notice, we proposed to reverse and remand for a new hearing because evidence of drug test results was

admitted at the probation revocation hearing without a proper foundation. The State has responded that it will not be filing a memorandum opposing our proposal.

Therefore, for the reasons stated in the calendar notice, we reverse and remand for a new probation revocation hearing.

IT IS SO ORDERED.

JAMES J. WECHSLER, Judge

WE CONCUR:

LINDA M. VANZI, Judge

J. MILES HANISEE, Judge