

STATE V. TAFOYA

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STATE OF NEW MEXICO,
Plaintiff-Appellee,
vs.
RONNIE TAFOYA,
Defendant-Appellant.

No. 31,719

COURT OF APPEALS OF NEW MEXICO

March 29, 2012

APPEAL FROM THE DISTRICT COURT OF SAN JUAN COUNTY, Thomas J. Hynes,
District Judge

COUNSEL

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

Jacqueline L. Cooper, Chief Public Defender, Kathleen T. Baldrige, Assistant Appellate Defender, Albuquerque, NM, for Appellant

JUDGES

TIMOTHY L. GARCIA, Judge. WE CONCUR: JAMES J. WECHSLER, Judge,
RODERICK T. KENNEDY, Judge

AUTHOR: TIMOTHY L. GARCIA

MEMORANDUM OPINION

GARCIA, Judge.

Defendant appeals his conviction for DWI. We proposed to affirm in two calendar notices. In response to our second notice, Defendant declares that a second memorandum in opposition will not be filed, but relies on facts and argument included in

his memorandum in opposition to our first notice. We note that, “[a] party opposing summary disposition is required to come forward and specifically point out errors in fact and/or law.” *State v. Ibarra*, 116 N.M. 486, 489, 864 P.2d 302, 305 (Ct. App. 1993). In addition, even considering the arguments made in Defendant’s previous memorandum in opposition, we are not persuaded that affirmance is not the correct disposition in this case. Therefore, for the reasons discussed in our calendar notices, we affirm the judgment and sentence entered by the district court.

IT IS SO ORDERED.

TIMOTHY L. GARCIA, Judge

WE CONCUR:

JAMES J. WECHSLER, Judge

RODERICK T. KENNEDY, Judge