

STATE V. VAUGHN

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**STATE OF NEW MEXICO,
Plaintiff-Appellee,
v.
JEREMIE QUADON VAUGHN,
Defendant-Appellant.**

No. 34,448

COURT OF APPEALS OF NEW MEXICO

December 1, 2015

APPEAL FROM THE DISTRICT COURT OF LEA COUNTY, Mark T. Sanchez, District
Judge

COUNSEL

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JUDGES

TIMOTHY L. GARCIA, Judge. WE CONCUR: MICHAEL E. VIGIL, Chief Judge,
JONATHAN B. SUTIN, Judge

AUTHOR: TIMOTHY L. GARCIA

MEMORANDUM OPINION

GARCIA, Judge.

{1} We proposed summary reversal of the district court's determination concerning the Earned Meritorious Deductions Act (EMDA) and to remand this matter to the district

court to allow additional factfinding or to set aside the EMDA portion of the sentence. No memorandum opposing this proposed disposition has been filed, and the time for doing so has expired. Therefore, we reverse the district court's determination concerning the EMDA and remand this case to the district court for further factfinding concerning the EMDA or to set aside the EMDA portion of the sentence.

{2} IT IS SO ORDERED.

TIMOTHY L. GARCIA Judge

WE CONCUR:

MICHAEL E. VIGIL, Chief Judge

JONATHAN B. SUTIN, Judge