

STATE V. ZAFARANO

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STATE OF NEW MEXICO,
Plaintiff-Appellant,
v.
JIM A. ZAFARANO,
Defendant-Appellee.

NO. 30,739

COURT OF APPEALS OF NEW MEXICO

February 8, 2011

APPEAL FROM THE DISTRICT COURT OF CHAVES COUNTY, Ralph D. Shamas,
District Judge

COUNSEL

Gary K. King, Attorney General, Santa Fe, NM, Joel Jacobsen, Assistant Attorney General, Albuquerque, NM, for Appellant

Hugh W. Dangler, Chief Public Defender, Nancy Hewitt, Appellate Defender, Santa Fe, NM, for Appellee

JUDGES

RODERICK T. KENNEDY, Judge. WE CONCUR: LINDA M. VANZI, Judge, TIMOTHY L. GARCIA.

AUTHOR: RODERICK T. KENNEDY

MEMORANDUM OPINION

KENNEDY, Judge.

The State appeals an order granting Defendant's motion to suppress. We proposed to affirm in a notice of proposed summary disposition, and the State has filed a response

indicating that it will not be filing a memorandum in opposition. Therefore, for the reasons set forth in our notice of proposed summary disposition, we affirm the order granting Defendant's motion to suppress.

IT IS SO ORDERED.

RODERICK T. KENNEDY, Judge

WE CONCUR:

LINDA M. VANZI, Judge

TIMOTHY L. GARCIA