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IN THE COURT OF APPEALS OF STATE OF NEW MEXICO

No. A-1-CA-37514

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

BRUCE BENDER,

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT OF CURRY COUNTY
Fred T. Van Soelen, District Judge**

Hector H. Balderas, Attorney General
Santa Fe, NM
M. Anne Kelly, Assistant Attorney General
Albuquerque, NM

for Appellee

Bennett J. Baur, Chief Public Defender
Nina Lalevic, Assistant Appellate Defender
Santa Fe, NM

for Appellant

MEMORANDUM OPINION

VARGAS, Judge.

{1} Defendant appeals his conviction for intentional child abuse, not resulting in death or great bodily harm. On appeal, Defendant contends that insufficient evidence was presented to support the jury's conviction. This Court issued a notice of proposed disposition, proposing to reverse. The State filed a notice of intent not to file a memorandum in opposition.

{2} Therefore, for the reasons stated in our calendar notice, we reverse.

{3} IT IS SO ORDERED.

JULIE J. VARGAS, Judge

WE CONCUR:

J. MILES HANISEE, Judge

BRIANA H. ZAMORA, Judge