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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

No. A-1-CA-41561

STATE OF NEW MEXICO,

Plaintiff-Appellant,

v.

JADE RIVERA,

Defendant-Appellee.

**APPEAL FROM THE METROPOLITAN COURT OF BERNALILLO COUNTY
Felicia Blea-Rivera, Metropolitan Court Judge**

Raúl Torrez, Attorney General
Santa Fe, NM
Van Snow, Acting Deputy Solicitor General
Albuquerque, NM

for Appellant

Bennett J. Baur, Chief Public Defender
Santa Fe, NM

for Appellee

MEMORANDUM OPINION

BOGARDUS, Judge.

{1} Summary affirmance was proposed for the reasons stated in the notice of proposed summary disposition. Appellant has filed a notice with this Court informing us that they will not be filing a memorandum in opposition. No memorandum opposing the proposed disposition has been filed, and the time for doing so has expired. Accordingly, we rely on the reasoning contained in our notice of proposed disposition. **AFFIRMED.**

{2} **IT IS SO ORDERED.**

KRISTINA BOGARDUS, Judge

WE CONCUR:

JACQUELINE R. MEDINA, Judge

SHAMMARA H. HENDERSON, Judge