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1 **IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO**

2 **STATE OF NEW MEXICO,**

3 **Plaintiff-Appellee,**

4 **v.**

No. 35,004

5 **JAY CHARLEY,**

6 **Defendant-Appellant.**

7 **APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY**

8 **Briana H. Zamora, District Judge**

9 Hector H. Balderas, Attorney General

10 Santa Fe, NM

11 for Appellee

12 Jorge A. Alvarado, Chief Public Defender

13 Santa Fe, NM

14 Steven J. Forsberg, Assistant Appellate Defender

15 Albuquerque, NM

16 for Appellant

17 **MEMORANDUM OPINION**

18 **HANISEE Judge.**

1 {1} Defendant-Appellant Jay Charley (Defendant) has appealed from a conviction
2 for aggravated DWI. We previously issued a notice of proposed summary disposition
3 in which we proposed to uphold the conviction. Defendant has filed a combined
4 memorandum in opposition and motion to accept as timely. The motion is hereby
5 granted.

6 {2} Defendant continues to challenge the sufficiency of the evidence to support the
7 conviction. [MIO 1] We gather that he may also renew his challenge to the denial of
8 his motion to suppress. [MIO 1] However, Defendant advances no new argument or
9 authority. We therefore remain unpersuaded.

10 {3} Accordingly, for the reasons described in the notice of proposed summary
11 disposition, we affirm.

12 {4} **IT IS SO ORDERED.**

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14

J. MILES HANISEE, Judge

15 **WE CONCUR:**

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17

MICHAEL E. VIGIL, Chief Judge

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2 **RODERICK T. KENNEDY, Judge**