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

**2 STATE OF NEW MEXICO,**

**3 Plaintiff-Appellant,**

**4 v.**

**No. 35,191**

**5 CHRISTOPHER LOPEZ,**

**6 Defendant-Appellee.**

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

**8 Brett R. Loveless, District Judge**

**9 Hector H. Balderas, Attorney General**

**10 Santa Fe, NM**

**11 Steven Johnston, Assistant Attorney General**

**12 Albuquerque, NM**

**13 for Appellant**

**14 Jorge A. Alvarado, Chief Public Defender**

**15 Santa Fe, NM**

**16 for Appellee**

**17 MEMORANDUM OPINION**

**18 SUTIN, Judge.**

1 {1} Summary dismissal for lack of a final, appealable order was proposed for the  
2 reasons stated in the notice of proposed summary disposition. The State has filed a  
3 response to this Court's notice of proposed disposition informing this Court that it will  
4 not be filing a memorandum in opposition to our notice. Accordingly, for the reasons  
5 stated in this Court's notice of proposed disposition, we dismiss the State's appeal.

6 {2} **IT IS SO ORDERED.**

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**JONATHAN B. SUTIN, Judge**

9 **WE CONCUR:**

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**MICHAEL D. BUSTAMANTE, Judge**

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**LINDA M. VANZI, Judge**