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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. 32,138**

5 **BERNEST BENJAMIN,**

6           Defendant-Appellant.

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

8 **Diane Dal Santo, District Judge**

9 Gary K. King, Attorney General

10 Albuquerque, NM

11 for Appellee

12 Bennett J. Baur, Acting Chief Public Defender

13 Karl Erich Martell, Assistant Appellate Defender

14 Santa Fe, NM

15 for Appellant

16                                           **MEMORANDUM OPINION**

17 **KENNEDY, Chief Judge.**

1 Bernest Benjamin (Defendant) appeals the district court's order denying his pro  
2 se "Motion to Receive Full Probationary Credit." We issued a calendar notice  
3 proposing to affirm, and Defendant has filed a memorandum in support of that  
4 proposed affirmance. Defendant indicates that Issue 1 is moot, and Issue 2 is not yet  
5 ripe. Therefore, for the reasons stated in our calendar notice, we affirm the district  
6 court's order.

7 **IT IS SO ORDERED.**

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**RODERICK T. KENNEDY, Chief Judge**

10 **WE CONCUR:**

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**JAMES J. WECHSLER, Judge**

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**TIMOTHY L. GARCIA, Judge**