

1 Defendant appeals from the revocation of his probation, arguing that his rights
2 allotted him under Rule 5-805 NMRA and the New Mexico Constitution were
3 violated. This Court issued a calendar notice proposing to affirm. Defendant has filed
4 a memorandum in opposition, which we have duly considered. Unpersuaded, we
5 affirm.

6 On appeal, Defendant challenged the delay between (1) the filing of the
7 November 23, 2011, probation violation report and the State's motion to revoke his
8 probation filed on February 29, 2012, and (2) the filing of the November 23, 2011,
9 probation violation report and the setting of his conditions of release on March 5,
10 2012. [CN 2] In this Court's calendar notice, we pointed out that the district court
11 had dismissed the State's motion to revoke probation premised on the November 23,
12 2011, probation violation report. [CN 3] We further noted that the State's subsequent
13 motions to revoke were timely filed from new probation violation reports and did not
14 appear to suffer from the same delays. [CN 4] We noted that, to the extent Defendant
15 was arguing that the delays related to the November probation report had tainted the
16 subsequent motions to revoke probation, Defendant had provided no authority to
17 support his argument. [CN 4] We pointed out that where a party cites no authority
18 to support an argument, this Court will assume no such authority exists. [CN 4 (citing
19 *In re Adoption of Doe*, 100 N.M. 764, 765, 676 P.2d 1329, 1330 (1984))] In his

1 memorandum in opposition, Defendant still fails to provide this Court with any
2 authority to support his argument. [MIO 5] Accordingly, we affirm. *See State v.*
3 *Ibarra*, 116 N.M. 486, 489, 864 P.2d 302, 305 (Ct. App. 1993) (“A party opposing
4 summary disposition is required to come forward and specifically point out errors in
5 fact and/or law.”).

6 For the foregoing reasons, and for those stated in his Court’s calendar notice,
7 we affirm the district court’s revocation of Defendant’s probation.

8 **IT IS SO ORDERED.**

9
10 _____
JONATHAN B. SUTIN, Judge

11 **WE CONCUR:**

12 _____
13 **RODERICK T. KENNEDY, Chief Judge**

14 _____
15 **M. MONICA ZAMORA, Judge**