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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. 32,613

5 **MATTHEW C. STURGEON,**

6 Defendant-Appellant.

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

8 **Karen L. Parsons, District Judge**

9 Gary K. King, Attorney General

10 Santa Fe, NM

11 for Appellee

12 Gary C. Mitchell

13 Ruidoso, NM

14 for Appellant

15 **MEMORANDUM OPINION**

16 **VANZI, Judge.**

1 {1} Summary affirmance was proposed for the reasons stated in the notice of
2 proposed summary disposition. No memorandum opposing summary affirmance has
3 been filed and the time for doing so has expired.

4 {2} AFFIRMED.

5 {3} **IT IS SO ORDERED.**

6 _____
7 **LINDA M. VANZI, Judge**

8 **WE CONCUR:**

9 _____
10 **RODERICK T. KENNEDY, Chief Judge**

11 _____
12 **JONATHAN B. SUTIN, Judge**