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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

2 STATE OF NEW MEXICO,

Plaintiff-Appellee,

4 v. No. 34,128

5 BRENNAN SLADE,

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Defendant-Appellant.

7 APPEAL FROM THE DISTRICT COURT OF LEA COUNTY

8 Mark Terrence Sanchez, District Judge

- 9 Hector H. Balderas, Attorney General
- 10 Margaret E. McLean, Assistant Attorney General
- 11 Joel Jacobsen, Assistant Attorney General
- 12 Santa Fe, NM
- 13 for Appellee
- 14 Jorge A. Alvarado, Chief Public Defender
- 15 Kathleen T. Baldridge, Assistant Appellate Defender
- 16 Santa Fe, NM
- 17 for Appellant

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MEMORANDUM OPINION

1	BUSTAMANTE, Judge.
2	Defendant appeals from the judgment and sentence setting forth his convictions
3	for the petty misdemeanor of concealing identity and for felony possession of a
4	controlled substance. [RP 99] Our second calendar notice proposed (1) to affirm
5	Defendant's conviction for concealing identity, and (2) to reverse and remand for a
6	new trial for Defendant's possession of a controlled substance conviction based on the
7	failure to instruct on the elements of the crime. In its response, the State provides that
8	it will not be filing a memorandum in opposition.
9	For the reasons detailed in our second notice, we affirm Defendant's conviction
10	for concealing identity, and reverse and remand for a new trial for Defendant's
11	conviction for possession of a controlled substance.
12	{3} IT IS SO ORDERED.
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15	MICHAEL D. BUSTAMANTE, Judge
16	WE CONCUR:
17 18	CYNTHIA A. FRY, Judge
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20	J. MILES HANISEE, Judge