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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. 34,173

## 5 DIANA BROWN,

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Defendant-Appellant.

## 7 APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY 8 Charles Brown, District Judge

- 9 Hector H. Balderas, Attorney General
- 10 Santa Fe, NM
- 11 for Appellee
- 12 Jorge A. Alvarado, Chief Public Defender
- 13 Santa Fe, NM
- 14 Steven J. Forsberg, Assistant Appellate Defender
- 15 Albuquerque, NM
- 16 for Appellant

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**MEMORANDUM OPINION** 

## BUSTAMANTE, Judge.

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- The memorandum opinion previously filed in this matter on April 28, 2015, is **{1}** hereby withdrawn, and this Opinion is substituted therefor.
- Defendant Diana Brown appeals from the district court's affirmance of the **{2**} metropolitan court's convictions for driving while under the influence of intoxicating liquor and speeding. [DS 1; RP 143] In this Court's notice of proposed disposition, we proposed to affirm Defendant's convictions and adopt the memorandum opinion of the district court. [CN 1-2] Defendant filed a memorandum in opposition. We have given due consideration to the memorandum in opposition, and, remaining unpersuaded, we affirm Defendant's convictions.
- **{3}** Defendant raises no new arguments apart from those that she made in her docketing statement [DS 11-12] and in the statement of the issues she filed with the district court in her on-record appeal [RP 121-130]. In this Court's notice of proposed disposition, we proposed to adopt the district court's thorough and well-reasoned memorandum opinion in response to Defendant's arguments. [CN 1-2; see also RP 16 136-142 Defendant has failed to raise any new arguments or issues to convince us to reconsider our proposed adoption of the district court's memorandum opinion. As 18 such, all of the arguments in Defendant's memorandum in opposition have been 19 addressed by this Court in its notice of proposed disposition and/or the district court's

1	memorandum opinion this Court proposed to adopt in our notice of proposed
2	disposition, and we refer Defendant to the responses therein. [See RP 136-142]
3	Accordingly, for the reasons set forth in our notice of proposed disposition and
4	herein, and for the reasons articulated in the memorandum opinion of the district
5	court, we affirm Defendant's convictions.
6	{5} IT IS SO ORDERED.
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8	MICHAEL D. BUSTAMANTE, Judge
9	WE CONCUR:
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11	JONATHAN B. SUTIN, Judge
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13	J. MILES HANISEE, Judge