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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. 34,188

5 **SHARON KIRVEN,**

6 Defendant-Appellant.

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

8 **Fred Van Soelen, District Judge**

9 Hector H. Balderas, Attorney General

10 Santa Fe, NM

11 Jacqueline R. Medina

12 Albuquerque, NM

13 for Appellee

14 Jorge A. Alvarado, Chief Public Defender

15 Allison H. Jaramillo, Assistant Appellate Defender

16 Santa Fe, NM

17 for Appellant

18 **MEMORANDUM OPINION**

19 **WECHSLER, Judge.**

1 {1} Defendant appeals her convictions for trafficking a controlled substance
2 (cocaine) and solicitation to commit tampering with evidence. [DS 2] We issued an
3 initial notice of proposed summary disposition proposing to affirm. After considering
4 Defendant's memorandum in opposition, we issued a second notice proposing
5 summary reversal. The State has filed a response indicating that it does not oppose this
6 disposition. Accordingly, for the reasons set forth in our second notice of proposed
7 summary disposition, we reverse.

8 {2} **IT IS SO ORDERED.**

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JAMES J. WECHSLER, Judge

11 **WE CONCUR:**

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TIMOTHY L. GARCIA, Judge

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J. MILES HANISEE, Judge