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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. 34,604

5 **GREGORY A. WOOD,**

6 Defendant-Appellant.

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

8 **Waylon Counts, District Judge**

9 Hector H. Balderas, Attorney General

10 Santa Fe, NM

11 for Appellee

12 Gregory A. Wood

13 Santa Rosa, NM

14 Pro Se Appellant

15 **MEMORANDUM OPINION**

16 **VIGIL, Chief Judge.**

17 {1} Self-represented Defendant Gregory A. Wood filed a docketing statement,
18 appealing from his convictions for trafficking methamphetamine, possession of drug

1 paraphernalia, and possession of marijuana or synthetic cannabinoids, as set forth in
2 the district court’s judgment and sentence entered on January 9, 2015. [RP 128-29; DS
3 2] In this Court’s notice of proposed disposition, we proposed to dismiss the appeal
4 for lack of a final order. [CN 1, 3-4] Defendant filed a timely response to our calendar
5 notice, stating that he received “this final order from the district court,” and attaching
6 such order.

7 {2} However, although the order attached to Defendant’s response does deny a
8 pending motion to change or remove plea, it did not address the motion for
9 reconsideration of sentence, specified in our calendar notice as rendering the judgment
10 non-final. [CN 3] Accordingly, as there remains no order disposing of the motion for
11 reconsideration of sentence, and for the reasons stated in this Court’s notice of
12 proposed disposition, we dismiss the appeal for lack of a final order. We reiterate that
13 Defendant is free to appeal from the final order of the district court once such order
14 is entered. *See* Rule 12-201(A) NMRA.

15 {3} **IT IS SO ORDERED.**

16
17

MICHAEL E. VIGIL, Chief Judge

18 **WE CONCUR:**

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RODERICK T. KENNEDY, Judge

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2 **TIMOTHY L. GARCIA Judge**