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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. A-1-CA-36150**

5           **BRIAN DALY,**

6                           Defendant-Appellant.

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

8           **Matthew E. Chandler, District Judge**

9           Hector H. Balderas, Attorney General

10          Santa Fe, NM

11          Andrea Rowley, Assistant Attorney General

12          Clovis, NM

13          for Appellee

14          Harmon Barnett Morris, P.C.

15          Tye C. Harmon

16          Clovis, NM

17          for Appellant

18   **MEMORANDUM OPINION**

19          **HANISEE, Judge.**

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

4 {2} **IT IS SO ORDERED.**

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**J. MILES HANISEE, Judge**

7 **WE CONCUR:**

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**STEPHEN G. FRENCH, Judge**

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**HENRY M. BOHNHOFF, Judge**