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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

2 STATE OF NEW MEXICO,

Plaintiff-Appellee,

4 v.

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3

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NO.A-1-CA-36551

5 DAMIAN ARENAS,

Defendant-Appellant.

7 APPEAL FROM THE DISTRICT COURT OF SAN JUAN COUNTY 8 Karen L. Townsend, District Judge

9 Hector H. Balderas, Attorney General10 Santa Fe, NM

11 for Appellee

12 Bennett J. Baur, Chief Public Defender

13 Santa Fe, NM

14 Steven J. Forsberg, Assistant Appellate Defender

15 Albuquerque, NM

16 for Appellant

17

MEMORANDUM OPINION

18 VIGIL, Judge.

19 [1] Defendant appeals from his conviction for felony DWI, entered pursuant to a

1	conditional plea, wherein he reserved the right to appeal the district court's denial of
2	his motion to dismiss on speedy trial grounds. This Court issued a calendar notice
3	proposing to affirm relying, in part, on <i>State v. Hill</i> , 2005-NMCA-143, ¶12, 138 N.M.
4	693, 125 P.2d 1175. Defendant has filed a memorandum in opposition requesting that
5	this Court revisit our holding in <i>Hill</i> . However, given that our holding in <i>Hill</i> was
6	premised on binding New Mexico Supreme Court precedent, we decline to revisit that
7	holding. As a result, we conclude that Defendant has not demonstrated a speedy trial
8	violation. Accordingly, we affirm.
9	IT IS SO ORDERED.
10 11	MICHAEL E. VIGIL, Judge
12	WE CONCUR:
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14	JULIE J. VARGAS, Judge
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16	STEPHEN G. FRENCH, Judge