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5 filing date.

6 **IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO**

7 **STATE OF NEW MEXICO,**

8 Plaintiff-Appellee,

9 v.

NO. 30,774

10 **JOSE ACEVEDO,**

11 Defendant-Appellant.

12 **APPEAL FROM THE DISTRICT COURT OF DOÑA ANA COUNTY**

13 **Fernando R. Macias, District Judge**

14 Gary K. King, Attorney General
15 Santa Fe, NM

16 for Appellee

17 Shawn J. Lunsford
18 Carlsbad, NM

19 for Appellant

20 **MEMORANDUM OPINION**

21 **KENNEDY, Judge.**

22 Summary dismissal was proposed for the reasons stated in the calendar notice.

23 No memorandum opposing summary dismissal has been filed, and the time for doing

24 so has expired. **DISMISSED.**

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IT IS SO ORDERED.

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RODERICK T. KENNEDY, Judge

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WE CONCUR:

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MICHAEL D. BUSTAMANTE, Judge

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CYNTHIA A. FRY, Judge