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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. 32,103

5 **JOSE ANGEL RODRIGUEZ,**

6 Defendant-Appellant.

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

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

9 Gary K. King, Attorney General

10 Albuquerque, NM

11 for Appellee

12 Jacqueline L. Cooper, Chief Public Defender

13 Karl Erich Martell, Assistant Appellate Defender

14 Santa Fe, NM

15 for Appellant

16 **MEMORANDUM OPINION**

17 **KENNEDY, Judge.**

1 Jose Angel Rodriguez (Defendant) appeals his conviction and sentence for
2 aggravated stalking (violation of a protection order). [RP 160] This Court issued a
3 notice of proposed summary disposition proposing to affirm, and Defendant has filed
4 a timely memorandum in opposition to the proposed summary affirmance. In his
5 memorandum, Defendant fails to rebut or dispute any of the analysis contained in our
6 notice of proposed summary disposition. Instead, he requests that this Court assign
7 his appeal to the general calendar to reconsider some of the cases relied upon in our
8 proposed summary disposition. [MIO 3] We decline to do so.

9 Therefore, for the reasons set forth in our notice of proposed summary
10 disposition, we affirm Defendant's conviction and sentence.

11 **IT IS SO ORDERED.**

12 _____
13 **RODERICK T. KENNEDY, Judge**

14 **WE CONCUR:**

15 _____
16 **CYNTHIA A. FRY, Judge**

17 _____
18 **LINDA M. VANZI, Judge**