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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. 32,233**

5           **DANIEL CASTANEDA,**

6                   Defendant-Appellant.

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

8           **Lisa C. Schultz, District Judge**

9           Gary K. King, Attorney General

10          Santa Fe, NM

11          for Appellee

12          Jeffrey C. Lahann

13          Las Cruces, NM

14          for Appellant

15   **MEMORANDUM OPINION**

16          **CASTILLO, Judge.**

1 Summary affirmance was proposed for the reasons stated in the notice of  
2 proposed disposition. No memorandum opposing summary affirmance has been filed,  
3 and the time for doing so has expired.

4 Affirmed.

5 **IT IS SO ORDERED.**

6 \_\_\_\_\_  
7 **CELIA FOY CASTILLO, Judge**

8 **WE CONCUR:**

9 \_\_\_\_\_  
10 **JONATHAN B. SUTIN, Judge**

11 \_\_\_\_\_  
12 **J. MILES HANISEE, Judge**