

**FILED: April 30, 2014**

IN THE COURT OF APPEALS OF THE STATE OF OREGON

STATE OF OREGON,  
Plaintiff-Respondent,

v.

LORETO RODRIGUEZ, JR., aka Loreto Rodriguez,  
Defendant-Appellant.

Jefferson County Circuit Court  
12FE0076

A152089

Annette C. Hillman, Judge.

Submitted on March 21, 2014.

Peter Gartlan, Chief Defender, and Anne Fujita Munsey, Senior Deputy Public Defender, Office of Public Defense Services, filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Anna M. Joyce, Solicitor General, and Matthew J. Lysne, Senior Assistant Attorney General, filed the brief for respondent.

Before Armstrong, Presiding Judge, and Egan, Judge, and De Muniz, Senior Judge.

PER CURIAM

Affirmed. *State v. Ziska*, 253 Or App 82, 288 P3d 1012 (2012), *rev allowed*, 353 Or 428 (2013).