

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

No. A-1-CA-41370

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

WILBERT JONES, JR.,

Defendant-Appellant.

APPEAL FROM THE METROPOLITAN COURT OF BERNALILLO COUNTY
Jill M. Martinez, Metropolitan Court Judge

Raúl Torrez, Attorney General
Santa Fe, NM
Van Snow, Acting Deputy Solicitor General
Albuquerque, NM

for Appellee

Bennett J. Baur, Chief Public Defender
Santa Fe NM

for Appellant

MEMORANDUM OPINION

BOGARDUS, Judge.

{1} Summary reversal in part, and affirmance in part was proposed for the reasons stated in the notice of proposed summary disposition. Appellee has filed a notice with this Court informing us that it will not be filing a memorandum in opposition. No memorandum opposing the proposed disposition has been filed, and the time for doing so has expired. Accordingly, we rely on the reasoning contained in our notice of proposed disposition. **AFFIRMED IN PART, REVERSED IN PART.**

{2} IT IS SO ORDERED.

KRISTINA BOGARDUS, Judge

WE CONCUR:

JACQUELINE R. MEDINA, Judge

JANE B. YOHALEM, Judge