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

**No. A-1-CA-41260**

**STATE OF NEW MEXICO,**

Plaintiff-Appellee,

v.

**DOMENIQUE DEAN SEDILLO,**

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT OF SOCORRO COUNTY**  
**Mercedes C. Murphy, District Court Judge**

Raúl Torrez, Attorney General  
Santa Fe, NM

for Appellee

Bennett J. Baur, Chief Public Defender  
Kathleen T. Baldrige, Assistant Appellate Defender  
Santa Fe, NM

for Appellant

**MEMORANDUM OPINION**

**IVES, Judge.**

{1} Defendant appeals his conviction for receiving or transferring a stolen vehicle. [DS 2] We entered a notice of proposed disposition, proposing to affirm. Defendant filed a memorandum in opposition to that notice, which we have duly considered. Unpersuaded, we affirm.

{2} Our notice of proposed disposition proposed to affirm because it appeared that sufficient evidence supported Defendant's conviction. [CN 4] In his memorandum in opposition, Defendant continues to maintain, based on the same theory raised in his

docketing statement, that insufficient evidence supported his conviction. [MIO 5; DS 3] See *State v. Mondragon*, 1988-NMCA-027, ¶ 10, 107 N.M. 421, 759 P.2d 1003 (stating that “[a] party responding to a summary calendar notice must come forward and specifically point out errors of law and fact” and the repetition of earlier arguments does not fulfill this requirement), *superseded by statute on other grounds as stated in State v. Harris*, 2013-NMCA-031, ¶ 3, 297 P.3d 374. Defendant’s memorandum in opposition has therefore not asserted any fact, law, or argument that persuades us that our notice of proposed disposition was erroneous. See *id.* As a result, we remain unpersuaded that Defendant has demonstrated that the calendar notice was in error.

**{3}** Accordingly, for the reasons stated in our notice of proposed disposition and herein, we affirm.

**{4} IT IS SO ORDERED.**

**ZACHARY A. IVES, Judge**

**WE CONCUR:**

**JENNIFER L. ATTREP, Chief Judge**

**JANE B. YOHALEM, Judge**