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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

No. A-1-CA-41656

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

WILLIAM BURKE,

Defendant-Appellant.

APPEAL FROM THE DISTRICT COURT OF CATRON COUNTY
Roscoe A. Woods, District Court Judge

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

for Appellee

Bennett J. Baur, Chief Public Defender
Bianca Ybarra, Assistant Appellate Defender
Santa Fe, NM

for Appellant

MEMORANDUM OPINION

ATTREP, Judge.

{1} Summary affirmance in part and reversal in part was proposed for the reasons stated in the notice of proposed summary disposition. Appellant and Appellee have each filed a notice with this Court informing us that they 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 AND REVERSED IN PART.**

{2} IT IS SO ORDERED.

JENNIFER L. ATTREP, Judge

WE CONCUR:

ZACHARY A. IVES, Judge

KATHERINE A. WRAY, Judge