

CITY OF FARMINGTON V. FONTENELLE

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**CITY OF FARMINGTON,
Plaintiff-Appellee,
v.
BERNADETTE FONTENELLE,
Defendant-Appellant.**

NO. 34,959

COURT OF APPEALS OF NEW MEXICO

February 4, 2016

APPEAL FROM THE DISTRICT COURT OF SAN JUAN COUNTY, Karen L.
Townsend, District Judge

COUNSEL

City of Farmington, Jennifer Breakell, Farmington, NM, for Appellee

Harry Kassakhian, Irvine, CA, L. Helen Bennett, Albuquerque, NM, for Appellant

JUDGES

RODERICK T. KENNEDY, Judge. WE CONCUR: MICHAEL E. VIGIL, Chief Judge,
JAMES J. WECHSLER, Judge

AUTHOR: RODERICK T. KENNEDY

MEMORANDUM OPINION

KENNEDY, Judge.

{1} Appellant Bernadette Fontenelle (Defendant) appeals her conviction for first aggravated DWI (refusal). [RP 132] Our notice proposed to affirm, and in response Defendant filed a “notice of intent not to file a memorandum in opposition to proposed

summary affirmance.” Accordingly, for the reasons extensively detailed in our notice, we affirm.

{2} IT IS SO ORDERED.

RODERICK T. KENNEDY, Judge

WE CONCUR:

MICHAEL E. VIGIL, Chief Judge

JAMES J. WECHSLER, Judge