

**FALKNER V. ALBUQUERQUE POLICE DEP'T**

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**RANDALL FALKNER,  
Petitioner-Appellant,  
v.  
ALBUQUERQUE POLICE DEPARTMENT,  
BERNALILLO COUNTY METROPOLITAN  
COURT, AND THE NEW MEXICO  
DEPARTMENT OF PUBLIC SAFETY,  
Respondents-Appellees.**

No. 34,809

COURT OF APPEALS OF NEW MEXICO

December 8, 2015

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY, Victor S. Lopez,  
District Judge

**COUNSEL**

Stephen Lane, Simon Kubiak, Albuquerque, NM, for Appellant

Jeffrey B. Driggers, Albuquerque, NM, for Appellee-Albuquerque Police Department,  
Dana L. Cox, General Counsel, Albuquerque, NM, for Appellee- Bernalillo County  
Metropolitan Court, John W. Wheeler, II, Albuquerque, NM, for Appellee-Department of  
Public Safety

**JUDGES**

J. MILES HANISEE, Judge. WE CONCUR: TIMOTHY L. GARCIA, Judge, M. MONICA  
ZAMORA, Judge

**AUTHOR:** J. MILES HANISEE

**MEMORANDUM OPINION**

**HANISEE Judge.**

**{1}** Summary affirmance was proposed for the reasons stated in the notice of proposed summary disposition. No memorandum opposing summary affirmance has been filed and the time for doing so has expired.

**{2} AFFIRMED.**

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

**J. MILES HANISEE, Judge**

**WE CONCUR:**

**TIMOTHY L. GARCIA, Judge**

**M. MONICA ZAMORA, Judge**