

**STATE V. B SALGADO**

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**STATE OF NEW MEXICO, Plaintiff-Appellant,  
v.  
BENJAMIN THEODORE SALGADO, Defendant-Appellee.**

Docket No. 29,020

COURT OF APPEALS OF NEW MEXICO

April 15, 2009

APPEAL FROM THE DISTRICT COURT OF GUADALUPE COUNTY, Abigail Aragon,  
District Judge.

**COUNSEL**

Gary K. King, Attorney General, Santa Fe, NM, Jacqueline R. Medina, Assistant Attorney General, Albuquerque, NM, for Appellant.

Hugh W. Dangler, Chief Public Defender, Santa Fe, NM, for Appellee.

**JUDGES**

CELIA FOY CASTILLO, Judge. WE CONCUR: JONATHAN B. SUTIN, Judge, ROBERT E. ROBLES, Judge

**AUTHOR:** CELIA FOY CASTILLO

**MEMORANDUM OPINION**

**CASTILLO, Judge.**

Summary affirmance was proposed for the reasons stated in the notice of proposed disposition. The State has filed a notice of intent not to file a memorandum in opposition. We therefore rely on the analysis in the calendar notice.

Affirmed.

**IT IS SO ORDERED.**

**CELIA FOY CASTILLO, Judge**

**WE CONCUR:**

**JONATHAN B. SUTIN, Judge**

**ROBERT E. ROBLES, Judge**