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| STATE V. CARPENTER |
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**STATE OF NEW MEXICO,
Plaintiff-Appellee,
v.
BYRON S. CARPENTER,
Defendant-Appellant.**

No. 34,332

COURT OF APPEALS OF NEW MEXICO

December 16, 2015

APPEAL FROM THE DISTRICT COURT OF EDDYCOUNTY, Lisa B. Riley, District
Judge

COUNSEL

Hector Balderas, Attorney General, Santa Fe, NM, for Plaintiff-Appellee

Klipstine, Fredlund & Bowlin, LLC., James W. Klipstine, JR, Hobbs, NM, for Defendant-Appellant

JUDGES

MICHAEL E. VIGIL, Chief Judge. WE CONCUR: M. MONICA ZAMORA, Judge, LINDA M. VANZI, Judge

AUTHOR: MICHAEL E. VIGIL

MEMORANDUM OPINION

VIGIL, Chief 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. **AFFIRMED.**

{2} IT IS SO ORDERED.

MICHAEL E. VIGIL, Chief Judge

WE CONCUR:

M. MONICA ZAMORA, Judge

LINDA M. VANZI, Judge