

<b>STATE V. CLAY</b>
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**STATE OF NEW MEXICO,**  
Plaintiff-Appellee,  
v.  
**EDWARD A. CLAY,**  
Defendant-Appellant.

No. 32,604

COURT OF APPEALS OF NEW MEXICO

April 9, 2014

APPEAL FROM THE DISTRICT COURT OF DOA ANA COUNTY, Susan M. Riedel,  
District Judge

**COUNSEL**

Gary K. King, Attorney General, Pranava Upadrashta, Assistant Attorney General,  
Santa Fe, NM, for Appellee

Jorge A. Alvarado, Chief Public Defender, Kathleen T. Baldrige, Assistant Appellate  
Defender, Santa Fe, NM, for Appellant

**JUDGES**

JAMES J. WECHSLER, Judge. WE CONCUR: MICHAEL D. BUSTAMANTE, Judge,  
TIMOTHY L. GARCIA, Judge

**AUTHOR:** JAMES J. WECHSLER

**MEMORANDUM OPINION**

**WECHSLER, Judge.**

{1} Defendant appealed his conviction for residential burglary. Our third calendar notice proposed to affirm his conviction. In response, Defendant has filed a notice

indicating he will not file a memorandum in opposition to our latest calendar notice, but relies on the facts, authorities, and arguments contained in his initial memorandum in opposition. We remain convinced that the proposed disposition set out in our third calendar notice is correct. Therefore, for the reasons discussed in that notice, we affirm the district court's judgment and sentence in this case.

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

**JAMES J. WECHSLER, Judge**

**WE CONCUR:**

**MICHAEL D. BUSTAMANTE, Judge**

**TIMOTHY L. GARCIA, Judge**