

**STATE V. DOBEY**

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**STATE OF NEW MEXICO,**  
Plaintiff-Appellee,  
v.  
**JERRY DOBEY,**  
Defendant-Appellant.

NO. 29,944

COURT OF APPEALS OF NEW MEXICO

July 7, 2010

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

**COUNSEL**

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

Kennedy & Oliver, Joseph P. Kennedy, Albuquerque, NM, for Appellant

**JUDGES**

CYNTHIA A. FRY, Chief Judge. WE CONCUR: JONATHAN B. SUTIN, Judge,  
TIMOTHY L. GARCIA, Judge

**AUTHOR:** CYNTHIA A. FRY

**MEMORANDUM OPINION**

**FRY, Chief Judge.**

Summary affirmance was proposed for the reasons stated in the calendar notice. No memorandum opposing summary affirmance has been filed, and the time for doing so has expired. **AFFIRMED.**

**IT IS SO ORDERED.**

**CYNTHIA A. FRY, Chief Judge**

**WE CONCUR:**

**JONATHAN B. SUTIN, Judge**

**TIMOTHY L. GARCIA, Judge**