

STATE V. GARCIA

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STATE OF NEW MEXICO,
Plaintiff-Appellant,
v.
ERIC GARCIA,
Defendant-Appellee.

No. 34,485

COURT OF APPEALS OF NEW MEXICO

June 25, 2015

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY, Jacqueline D.
Flores, District Judge

COUNSEL

Hector H. Balderas, Attorney General, Santa Fe, NM, Jane A. Bernstein, Assistant
Attorney General, Albuquerque, NM, for Appellant

M. Naomi Salazar, Albuquerque, NM, for Appellee

JUDGES

TIMOTHY L. GARCIA, Judge. WE CONCUR: RODERICK T. KENNEDY, Judge, LINDA
M. VANZI, Judge

AUTHOR: TIMOTHY L. GARCIA

MEMORANDUM OPINION

GARCIA, Judge.

{1} Plaintiff State of New Mexico filed a docketing statement, appealing from the district court's order granting Defendant Eric Garcia's motion to exclude drug test results, entered on January 30, 2015. [DS 2-3; RP 33] This Court issued a calendar

notice, proposing to affirm. The State filed a response to our notice, informing this Court that it “will not be filing a memorandum in opposition to the proposed summary affirmance[.]” [Response 1] Accordingly, for the reasons stated in our notice of proposed disposition, we affirm.

{2} IT IS SO ORDERED.

TIMOTHY L. GARCIA, Judge

WE CONCUR:

RODERICK T. KENNEDY, Judge

LINDA M. VANZI, Judge