

STATE V. GONZALES

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STATE OF NEW MEXICO,
Plaintiff-Appellee,
v.
MATTHEW GONZALES,
Defendant-Appellant.

NO. 35,481

COURT OF APPEALS OF NEW MEXICO

September 13, 2016

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY, Cristina
Jaramillo, District Judge

COUNSEL

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JUDGES

JAMES J. WECHSLER, Judge. WE CONCUR: TIMOTHY L. GARCIA, Judge,
STEPHEN G. FRENCH, Judge

AUTHOR: JAMES J. WECHSLER

MEMORANDUM OPINION

WECHSLER, Judge.

{1} Defendant Matthew Gonzales appeals from the district court's judgment, sentence, and commitment, filed on February 5, 2016. [RP 0082-85] This Court issued a notice of proposed disposition, proposing to reverse and remand for additional

factfinding. The State filed a notice with this Court, stating that it does not intend to file a memorandum in opposition to this Court's notice of proposed disposition, and it "does not object to this Court's proposal to reverse the designation of the kidnapping conviction as a serious violent offense and remand for additional fact finding." [Notice 1, Ct. App. File] Accordingly, and for the reasons stated in our notice of proposed disposition, we reverse and remand.

{2} IT IS SO ORDERED.

JAMES J. WECHSLER, Judge

WE CONCUR:

TIMOTHY L. GARCIA, Judge

STEPHEN G. FRENCH, Judge