

STATE V. GUNDERSON

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STATE OF NEW MEXICO,
Plaintiff-Appellee,
v.
PATRICIA GUNDERSEN,
Defendant-Appellant.

NO. 32,458

COURT OF APPEALS OF NEW MEXICO

April 18, 2013

APPEAL FROM THE DISTRICT COURT OF CHAVES COUNTY, Charles Cruse
Currier, District Judge

COUNSEL

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

Patricia Gundersen, Roswell, NM, Pro Se Appellant

JUDGES

LINDA M. VANZI, Judge. WE CONCUR: RODERICK T. KENNEDY, Chief Judge,
CYNTHIA A. FRY, Judge

AUTHOR: LINDA M. VANZI

MEMORANDUM OPINION

VANZI, Judge.

{1} Defendant appeals pro se from the district court's ruling finding her guilty of expired registration and failure to have operating tail lamps. [RP 2] Our notice proposed to dismiss for lack of a final order, but provided that if Defendant secured a final order from the district court within the time for filing a memorandum in opposition, and

provided this Court with a copy thereof, we would proceed to calendar this case on the merits. Defendant filed a memorandum in opposition, wherein she stated that she was unable to secure a final order from the district court. We accordingly dismiss her appeal for lack of a final order.

{2} For the same reasons provided in our initial notice, we dismiss for lack of a final order. In doing so, we acknowledge Defendant's reference to another appeal she filed in this Court, which Defendant asserts contained a similar finality problem, yet was calendared on the merits. [MIO 2-6] We decline to revisit the other appeal, as that is not the case presently before this Court. Nor do we have authority to exercise supervisory or superintending control over the district court. See N.M. Const. Art. VI, § 3 (Supreme court; original jurisdiction; supervisory control; extraordinary writs).

{3} For the reasons set forth herein and in our notice, we dismiss for lack of a final order.

{4} IT IS SO ORDERED.

LINDA M. VANZI, Judge

WE CONCUR:

RODERICK T. KENNEDY, Chief Judge

CYNTHIA A. FRY, Judge