

STATE V. LARA

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**STATE OF NEW MEXICO,
Plaintiff,
v.
ANGEL LARA,
Defendant,
IN RE ZACH JONES,
Attorney-Appellant.**

No. 34,892

COURT OF APPEALS OF NEW MEXICO

January 21, 2016

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY, Stan Whitaker,
District Judge

COUNSEL

Hector H. Balderas, Attorney General, Santa Fe, NM, for Appellant

JUDGES

J. MILES HANISEE, Judge. WE CONCUR: JAMES J. WECHSLER, Judge, M. MONICA ZAMORA, Judge

AUTHOR: J. MILES HANISEE

MEMORANDUM OPINION

HANISEE, Judge.

{1} The State appeals from the district court's order finding Assistant District Attorney Zach Jones (ADA Jones) in direct criminal contempt, and ordering him or the Bernalillo County District Attorney's Office to pay a fine of \$50.00, for failure to appear at a hearing scheduled in a matter in which ADA Jones had entered his appearance on

behalf of the State. [DS 4-5] Summary reversal was proposed for the reasons stated in the notice of proposed disposition. Our records indicate that the district court was served with the notice. No memorandum opposing summary reversal has been filed, and the time for doing so has expired. See Rule 12-210(D)(3) NMRA. Accordingly, we reverse the district court's order finding Assistant District Attorney Zach Jones in contempt and imposing a fine of \$50.00 for the reasons stated in this Court's notice of proposed disposition. [RP 215]

{2} REVERSED.

{3} IT IS SO ORDERED.

J. MILES HANISEE, Judge

WE CONCUR:

JAMES J. WECHSLER, Judge

M. MONICA ZAMORA, Judge