

STATE V. LITTON

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**STATE OF NEW MEXICO,
Plaintiff-Appellee,
v.
FREDDIE LAMAR LITTON,
Defendant-Appellant.**

NO. A-1-CA-36577

COURT OF APPEALS OF NEW MEXICO

January 16, 2018

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

COUNSEL

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

Bennett J. Baur, Chief Public Defender, Kathleen T. Baldridge, Assistant Appellate
Defender, Santa Fe, NM, for Appellant

JUDGES

LINDA M. VANZI, Chief Judge. WE CONCUR: MICHAEL E. VIGIL, Judge, HENRY M.
BOHNHOFF, Judge

AUTHOR: LINDA M. VANZI

MEMORANDUM OPINION

VANZI, Chief Judge.

{1} Defendant has appealed from convictions for possession of a controlled substance, tampering with evidence, possession of drug paraphernalia, and resisting, evading, or obstructing an officer. Most recently, we issued a second notice of proposed

summary disposition in which we proposed to reverse the conviction for possession of drug paraphernalia, and to affirm the other convictions.

{2} Defendant has filed a response with this Court indicating that he continues to oppose our proposed summary disposition with respect to the convictions for possession of a controlled substance, tampering with evidence, and resisting, evading, or obstructing an officer; however, he agrees with our proposed reversal of the conviction for possession of drug paraphernalia. The State has filed no responsive memorandum.

{3} Accordingly, for the reasons previously stated, we affirm in part and reverse in part.

{4} **IT IS SO ORDERED.**

LINDA M. VANZI, Chief Judge

WE CONCUR:

MICHAEL E. VIGIL, Judge

HENRY M. BOHNHOFF, Judge