

**STATE V. ROBERTS**

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**STATE OF NEW MEXICO,**  
Plaintiff-Appellee,  
**v.**  
**NATHAN D. ROBERTS,**  
Defendant-Appellant.

No. 32,829

COURT OF APPEALS OF NEW MEXICO

December 10, 2013

APPEAL FROM THE DISTRICT COURT OF OTERO COUNTY, James Waylon Counts,  
District Judge

**COUNSEL**

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

Jason S. Montclare, Alamogordo, NM, for Appellant

**JUDGES**

MICHAEL D. BUSTAMANTE, Judge. WE CONCUR: RODERICK T. KENNEDY, Chief Judge, MICHAEL E. VIGIL, Judge

**AUTHOR:** MICHAEL D. BUSTAMANTE

**MEMORANDUM OPINION**

**BUSTAMANTE, Judge.**

{1} Summary affirmance was proposed for the reasons stated in the notice of proposed disposition. No memorandum opposing summary affirmance has been filed, and the time for doing so has expired.

**{2}** Affirmed.

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

**MICHAEL D. BUSTAMANTE, Judge**

**WE CONCUR:**

**RODERICK T. KENNEDY, Chief Judge**

**MICHAEL E. VIGIL, Judge**