

**STATE V. RODRIGUEZ**

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**STATE OF NEW MEXICO,**  
Plaintiff-Appellee,  
v.  
**JOSE ANGEL RODRIGUEZ,**  
Defendant-Appellant.

No. 32,103

COURT OF APPEALS OF NEW MEXICO

July 20, 2012

APPEAL FROM THE DISTRICT COURT OF DOÑA ANA COUNTY, Fernando R.  
Macias, District Judge

**COUNSEL**

Gary K. King, Attorney General, Albuquerque, NM, for Appellee

Jacqueline L. Cooper, Chief Public Defender, Karl Erich Martell, Assistant Appellate Defender, Santa Fe, NM, for Appellant

**JUDGES**

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

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

**MEMORANDUM OPINION**

**KENNEDY, Judge.**

Jose Angel Rodriguez (Defendant) appeals his conviction and sentence for aggravated stalking (violation of a protection order). [RP 160] This Court issued a notice of

proposed summary disposition proposing to affirm, and Defendant has filed a timely memorandum in opposition to the proposed summary affirmance. In his memorandum, Defendant fails to rebut or dispute any of the analysis contained in our notice of proposed summary disposition. Instead, he requests that this Court assign his appeal to the general calendar to reconsider some of the cases relied upon in our proposed summary disposition. [MIO 3] We decline to do so.

Therefore, for the reasons set forth in our notice of proposed summary disposition, we affirm Defendant's conviction and sentence.

**IT IS SO ORDERED.**

**RODERICK T. KENNEDY, Judge**

**WE CONCUR:**

**CYNTHIA A. FRY, Judge**

**LINDA M. VANZI, Judge**