

**STATE V. SILVA**

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**STATE OF NEW MEXICO,  
Plaintiff-Appellee,  
v.  
ELMO SILVA,  
Defendant-Appellant.**

No. A-1-CA-36597

COURT OF APPEALS OF NEW MEXICO

April 24, 2018

APPEAL FROM THE DISTRICT COURT OF LINCOLN COUNTY, Daniel A. Bryant,  
District Judge

**COUNSEL**

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

J. Robert Beauvais, P.A., John Robert Beauvais, Ruidoso, NM, for Appellant

**JUDGES**

MICHAEL E. VIGIL, Judge. WE CONCUR: M. MONICA ZAMORA, Judge, J. MILES HANISEE, Judge

**AUTHOR:** MICHAEL E. VIGIL

**MEMORANDUM OPINION**

**VIGIL, Judge.**

{1} Summary affirmance was proposed for the reasons stated in the notice of proposed summary 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 E. VIGIL, Judge**

**WE CONCUR:**

**M. MONICA ZAMORA, Judge**

**J. MILES HANISEE, Judge**