

STATE V. SLADE

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**STATE OF NEW MEXICO,
Plaintiff-Appellee,
v.
BRENNAN SLADE,
Defendant-Appellant.**

No. 34,128

COURT OF APPEALS OF NEW MEXICO

April 6, 2015

APPEAL FROM THE DISTRICT COURT OF LEA COUNTY, Mark Terrence Sanchez,
District Judge

COUNSEL

Hector H. Balderas, Attorney General, Margaret E. McLean, Assistant Attorney General
, Joel Jacobsen, Assistant Attorney General, Santa Fe, NM, for Appellee

Jorge A. Alvarado, Chief Public Defender, Kathleen T. Baldrige, Assistant Appellate
Defender, Santa Fe, NM, for Appellant

JUDGES

MICHAEL D. BUSTAMANTE, Judge. WE CONCUR: CYNTHIA A. FRY, Judge, J.
MILES HANISEE, Judge

AUTHOR: MICHAEL D. BUSTAMANTE

MEMORANDUM OPINION

BUSTAMANTE, Judge.

{1} Defendant appeals from the judgment and sentence setting forth his convictions
for the petty misdemeanor of concealing identity and for felony possession of a

controlled substance. [RP 99] Our second calendar notice proposed (1) to affirm Defendant's conviction for concealing identity, and (2) to reverse and remand for a new trial for Defendant's possession of a controlled substance conviction based on the failure to instruct on the elements of the crime. In its response, the State provides that it will not be filing a memorandum in opposition.

{2} For the reasons detailed in our second notice, we affirm Defendant's conviction for concealing identity, and reverse and remand for a new trial for Defendant's conviction for possession of a controlled substance.

{3} IT IS SO ORDERED.

MICHAEL D. BUSTAMANTE, Judge

WE CONCUR:

CYNTHIA A. FRY, Judge

J. MILES HANISEE, Judge