

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

**IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO**

**STATE OF NEW MEXICO,**

Plaintiff-Appellee,

v.

**No. A-1-CA-37826**

**AMANDA ANDRADE,**

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT OF DOÑA ANA COUNTY  
Conrad Frederick Perea, District Judge**

Hector H. Balderas, Attorney General  
M. Anne Kelly, Assistant Attorney General  
Santa Fe, NM

for Appellee

Bennett J. Baur, Chief Public Defender  
Santa Fe, NM

for Appellant

**MEMORANDUM OPINION**

**VANZI, Judge.**

{1} Defendant appeals from a district court order dismissing her de novo appeal from magistrate court. We issued a calendar notice proposing to reverse, because the district court failed to hold a show cause hearing before dismissal, which is required by Rule 5-828(B) NMRA. The State has responded with a notice of non-filing of a memorandum in opposition because it concurs. Accordingly, we reverse the dismissal order and to remand for purposes of holding a show cause hearing.

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

**LINDA M. VANZI, Judge**

**WE CONCUR:**

**J. MILES HANISEE, Judge**

**KRISTINA BOGARDUS, Judge**