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

**No. A-1-CA-38151**

**STATE OF NEW MEXICO,**

Plaintiff-Appellee,

v.

**FELISHA CAROL SAINZ,**

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY**  
**Briana H. Zamora, District Judge**

Hector H. Balderas, Attorney General  
Santa Fe, NM

for Appellee

Bennett J. Baur, Chief Public Defender  
Santa Fe, NM  
Steven J. Forsberg, Assistant Public Defender  
Albuquerque, NM

for Appellant

**MEMORANDUM OPINION**

**VANZI, Judge.**

{1} Defendant has appealed her convictions for DWI and an open container violation. We previously issued a notice of proposed summary disposition in which we proposed to uphold the convictions. Defendant has filed a memorandum in opposition. After due consideration, we remain unpersuaded. We therefore affirm.

**{2}** Because the pertinent background information and applicable principles have previously been set forth, we will avoid unnecessary repetition here, and instead focus on the content of the memorandum in opposition.

**{3}** Defendant continues to challenge to the sufficiency of the evidence to support her convictions. [MIO 1-2] However, as the district court observed, [RP 82-88] the convictions are amply supported. Although Defendant contends that a variety of circumstances distinguish this case and should be said to diminish the probative value of the evidence that was presented, [MIO 1-2] we remain unpersuaded. “[A]s a reviewing court, we do not reweigh the evidence or attempt to draw alternative inferences from the evidence.” *State v. Estrada*, 2001-NMCA-034, ¶ 41, 130 N.M. 358, 24 P.3d 793; *see also State v. Montoya*, 2005-NMCA-078, ¶ 3, 137 N.M. 713, 114 P.3d 393 (“[T]he evidence is not to be reviewed with a divide-and-conquer mentality, . . . [and w]e do not reweigh the evidence or substitute our judgment for that of the jury” (internal quotation marks and citation omitted)).

**{4}** Accordingly, for the reasons stated in the notice of proposed summary disposition and above, we affirm.

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

**LINDA M. VANZI, Judge**

**WE CONCUR:**

**J. MILES HANISEE, Chief Judge**

**MEGAN P. DUFFY, Judge**