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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

No. A-1-CA-40818

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

**CHRISTOPHER HEALY
WILLIAMS,**

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT OF SAN MIGUEL COUNTY
Flora Gallegos, District Court Judge**

Raúl Torrez, Attorney General
Santa Fe, NM

for Appellee

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

for Appellant

MEMORANDUM OPINION

IVES, Judge.

{1} Defendant appeals his convictions for criminal damage to property (over \$1,000), contrary to NMSA 1978, Section 30-15-1 (1963), and defacing tombs, contrary to NMSA 1978, Section 30-12-13 (1963). We issued a notice of proposed disposition, proposing to summarily affirm. Defendant has filed a memorandum in opposition, which we have duly considered. We remain unpersuaded, and we therefore affirm.

{2} In his memorandum in opposition, Defendant reiterates the issues raised in his docketing statement. [MIO 2] Defendant has failed, however, to assert any new facts, law, or argument that persuade this Court that our notice of proposed disposition was erroneous. See *Hennessy v. Duryea*, 1998-NMCA-036, ¶ 24, 124 N.M. 754, 955 P.2d 683 (“Our courts have repeatedly held that, in summary calendar cases, the burden is on the party opposing the proposed disposition to clearly point out errors in fact or law.”); *State v. Mondragon*, 1988-NMCA-027, ¶ 10, 107 N.M. 421, 759 P.2d 1003 (stating that a party responding to a summary calendar notice must come forward and specifically point out errors of law and fact, and the repetition of earlier arguments does not fulfill this requirement), *superseded by statute on other grounds as stated in State v. Harris*, 2013-NMCA-031, ¶ 3, 297 P.3d 374. We therefore refer Defendant to our analysis therein.

{3} Accordingly, for the reasons stated in our notice of proposed disposition and herein, we affirm Defendant’s convictions.

{4} IT IS SO ORDERED.

ZACHARY A. IVES, Judge

WE CONCUR:

J. MILES HANISEE, Judge

JACQUELINE R. MEDINA, Judge