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

**No. A-1-CA-40863**

**STATE OF NEW MEXICO,**

Plaintiff-Appellee,

v.

**JOANN GONZALES,**

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT OF GRANT COUNTY**  
**Jarod K. Hofacket, District Court Judge**

Raúl Torrez, Attorney General  
Santa Fe, NM

for Appellee

Bennett J. Baur, Chief Public Defender  
Kathleen T. Baldrige, Assistant Appellate Defender  
Santa Fe, NM

for Appellant

**MEMORANDUM OPINION**

**MEDINA, Judge.**

{1} Defendant appeals the district court's order revoking Defendant's probation. In this Court's notice of proposed disposition, we proposed to summarily affirm. Defendant filed a memorandum in opposition, which we have duly considered. Remaining unpersuaded, we affirm.

{2} In the memorandum in opposition, Defendant maintains that the district court improperly revoked Defendant's probation, specifically because there was insufficient evidence to support a finding that Defendant violated *all* of the probation conditions

alleged in the State's petition to revoke. [MIO 8] In our proposed calendar notice, we proposed to conclude that there was sufficient evidence to support the district court's decision to revoke Defendant's probation in this case. Defendant's memorandum is not responsive to that conclusion regarding the sufficiency of evidence concerning Defendant's violation of standard condition 2. See *State v. Leon*, 2013-NMCA-011, ¶ 37, 292 P.3d 493 (“[I]f there is sufficient evidence to support just one violation, we will find the district court's order was proper.”).

**{3}** As to Defendant's assertion that the district court abused its discretion by denying Defendant's motion to dismiss based on violations of Rule 5-805 NMRA, Defendant's memorandum in opposition appears to reiterate the same points made in the docketing statement without addressing or responding to the analysis contained in this Court's notice of proposed disposition. We therefore refer Defendant to our analysis therein.

**{4}** Defendant has failed to assert any new facts, law, or argument that persuade this Court that our notice of proposed disposition was erroneous. See *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. Accordingly, for the reasons stated in our notice of proposed disposition and herein, we affirm.

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

**JACQUELINE R. MEDINA, Judge**

**WE CONCUR:**

**J. MILES HANISEE, Judge**

**ZACHARY A. IVES, Judge**