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

Court of Appeals of New Mexico
Filed 1/13/2025 9:44 AM

2 **STATE OF NEW MEXICO,**



Ramon J. Maestas
Chief Clerk

3 Plaintiff-Appellee,

4 v.

No. A-1-CA-41260

5 **DOMENIQUE DEAN SEDILLO,**

6 Defendant-Appellant.

7 **APPEAL FROM THE DISTRICT COURT OF SOCORRO COUNTY**

8 **Mercedes C. Murphy, District Court Judge**

9 Raúl Torrez, Attorney General

10 Santa Fe, NM

11 for Appellee

12 Bennett J. Baur, Chief Public Defender

13 Kathleen T. Baldrige, Assistant Appellate Defender

14 Santa Fe, NM

15 for Appellant

16 **MEMORANDUM OPINION**

17 **IVES, Judge.**

18 {1} Defendant appeals his conviction for receiving or transferring a stolen vehicle.

19 [DS 2] We entered a notice of proposed disposition, proposing to affirm. Defendant

20 filed a memorandum in opposition to that notice, which we have duly considered.

21 Unpersuaded, we affirm.

1 {2} Our notice of proposed disposition proposed to affirm because it appeared that
2 sufficient evidence supported Defendant’s conviction. [CN 4] In his memorandum
3 in opposition, Defendant continues to maintain, based on the same theory raised in
4 his docketing statement, that insufficient evidence supported his conviction. [MIO
5 5; DS 3] *See State v. Mondragon*, 1988-NMCA-027, ¶ 10, 107 N.M. 421, 759 P.2d
6 1003 (stating that “[a] party responding to a summary calendar notice must come
7 forward and specifically point out errors of law and fact” and the repetition of earlier
8 arguments does not fulfill this requirement), *superseded by statute on other grounds*
9 *as stated in State v. Harris*, 2013-NMCA-031, ¶ 3, 297 P.3d 374. Defendant’s
10 memorandum in opposition has therefore not asserted any fact, law, or argument that
11 persuades us that our notice of proposed disposition was erroneous. *See id.* As a
12 result, we remain unpersuaded that Defendant has demonstrated that the calendar
13 notice was in error.

14 {3} Accordingly, for the reasons stated in our notice of proposed disposition and
15 herein, we affirm.

16 {4} **IT IS SO ORDERED.**

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18 _____
ZACHARY A. IVES, Judge

1 **WE CONCUR:**

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3 **JENNIFER L. ATTREP, Chief Judge**

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5 **JANE B. YOHALEM, Judge**