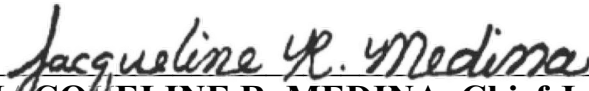


1 {2} On appeal, Defendant challenges the sufficiency of the evidence to support
2 his voluntary manslaughter conviction. In response to the analysis in our notice,
3 Defendant continues to argue that there was insufficient evidence to prove that he
4 intended to kill Victim, pointing again to the surprise Defendant exhibited upon
5 being told that he was being charged with a homicide. [MIO 3; DS 3-4] As we
6 explained in our notice, however, the State was not required to prove that Defendant
7 had the intent to kill. [CN 3-4] The State was only required to prove, in relevant part,
8 that Defendant knew that shooting at Victim with a firearm “created a strong
9 probability of death or great bodily harm.” *See* UJI 14-220 NMRA. [RP 55]


10 {3} Our notice detailed and evaluated the direct and circumstantial evidence
11 presented to support the level of knowledge the State was required to establish, and
12 proposed to hold that the evidence was sufficient. [CN 4-6] Defendant has not
13 directed us to any factual or legal error in our proposed analysis. *See State v.*
14 *Mondragon*, 1988-NMCA-027, ¶ 10, 107 N.M. 421, 759 P.2d 1003 (stating that “[a]
15 party responding to a summary calendar notice must come forward and specifically
16 point out errors of law and fact,” and explaining that the repetition of earlier
17 arguments does not fulfill this requirement), *superseded by statute on other grounds*
18 *as stated in State v. Harris*, 2013-NMCA-031, ¶ 3, 297 P.3d 374. We conclude that
19 Defendant has not demonstrated error.

1 {4} For the reasons set forth above and, in our notice, we affirm the district court's
2 judgment and sentence.

3 {5} **IT IS SO ORDERED.**

4 
5 **JACQUELINE R. MEDINA, Chief Judge**

6 **WE CONCUR:**

7 
8 **J. MILES HANISEE, Judge**

9 
10 **JENNIFER L. ATTREP, Judge**