

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

Court of Appeals of New Mexico  
Filed 10/19/2026 7:40 AM

**STATE OF NEW MEXICO,**

Plaintiff-Appellee,



Mark Reynolds

v.

**No. A-1-CA-42990**

**TERESA DE NIECE SALGADO,**

Defendant-Appellant.

**APPEAL FROM THE DISTRICT COURT OF DOÑA ANA COUNTY**

**Richard M. Jacquez, District Court Judge**

Raúl Torrez, Attorney General

Santa Fe, NM

for Appellee

Bennett J. Baur, Chief Public Defender

Maria A. Pomorski, Assistant Appellate Defender

Santa Fe, NM

for Appellant

**MEMORANDUM OPINION**

**MEDINA, Chief Judge.**

{1} Defendant appeals the district court's judgment and sentence. In our notice of proposed summary disposition, we proposed to affirm. Defendant has filed a memorandum in opposition, which we have duly considered. As we are not persuaded by Defendant's arguments, we affirm her convictions.

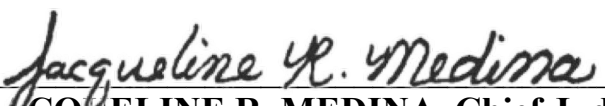
1 {2} In our notice of proposed summary disposition, we proposed to hold that there  
2 was sufficient evidence presented regarding Defendant’s knowledge of the  
3 methamphetamine and fentanyl in the purse, in addition to her intent to shoplift the  
4 items. *See State v. Flores*, 2010-NMSC-002, ¶ 19, 147 N.M. 542, 226 P.3d 641  
5 (stating that “circumstantial evidence alone can amount to substantial evidence” and  
6 that “intent is subjective and is almost always inferred from other facts in the case”  
7 (alterations, internal quotation marks, and citation omitted)); *see also State v.*  
8 *Montoya*, 2005-NMCA-078, ¶ 3, 137 N.M. 713, 114 P.3d 393 (“When a defendant  
9 argues that the evidence and inferences present two equally reasonable hypotheses,  
10 one consistent with guilt and another consistent with innocence, our answer is that  
11 by its verdict, the jury has necessarily found the hypothesis of guilt more reasonable  
12 than the hypothesis of innocence.”). [CN 4-5]

13 {3} Defendant’s memorandum in opposition maintains her same contentions  
14 regarding the sufficiency of the presented evidence, but does not point out any  
15 factual or legal error in the notice of proposed disposition. “Our courts have  
16 repeatedly held that, in summary calendar cases, the burden is on the party opposing  
17 the proposed disposition to clearly point out errors in fact or law.” *Hennessy v.*  
18 *Duryea*, 1998-NMCA-036, ¶ 24, 124 N.M. 754, 955 P.2d 683; *see also State v.*  
19 *Mondragon*, 1988-NMCA-027, ¶ 10, 107 N.M. 421, 759 P.2d 1003 (stating that “[a]  
20 party responding to a summary calendar notice must come forward and specifically

1 point out errors of law and fact,” and the repetition of earlier arguments does not  
2 fulfill this requirement), *superseded by statute on other grounds as stated in State v.*  
3 *Harris*, 2013 NMCA-031, ¶ 3, 297 P.3d 374. Defendant has not met that burden.

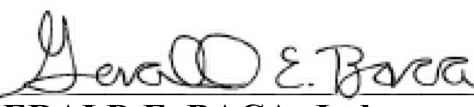
4 {4} Accordingly, for the reasons stated here and in our notice of proposed  
5 summary disposition, we affirm the district court’s judgment and sentence.

6 {5} **IT IS SO ORDERED.**

7   
8 **JACQUELINE R. MEDINA, Chief Judge**

9 **WE CONCUR:**

10   
11 **SHAMMARA H. HENDERSON, Judge**

12   
13 **GERALD E. BACA, Judge**