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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v. **NO. 32,138**

BERNEST BENJAMIN,

Defendant-Appellant.

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY
Diane Dal Santo, District Judge

Gary K. King, Attorney General
Albuquerque, NM

for Appellee

Bennett J. Baur, Acting Chief Public Defender
Karl Erich Martell, Assistant Appellate Defender
Santa Fe, NM

for Appellant

MEMORANDUM OPINION

KENNEDY, Chief Judge.

Bernest Benjamin (Defendant) appeals the district court's order denying his pro se "Motion to Receive Full Probationary Credit." We issued a calendar notice proposing to affirm, and Defendant has filed a memorandum in support of that proposed affirmance. Defendant indicates that Issue 1 is moot, and Issue 2 is not yet ripe. Therefore, for the reasons stated in our calendar notice, we affirm the district court's order.

IT IS SO ORDERED.

RODERICK T. KENNEDY, Chief Judge

WE CONCUR:

JAMES J. WECHSLER, Judge

TIMOTHY L. GARCIA, Judge