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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v. **No. 33,479**

PAUL KEITH REYES,

Defendant-Appellant.

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY
Stan Whitaker, District Judge

Gary K. King, Attorney General
Santa Fe, NM

for Appellee

Paul Keith Reyes
Albuquerque, NM

Pro Se Appellant

MEMORANDUM OPINION

HANISEE, Judge.

{1} Defendant, who is self-represented, is appealing from a district court order dismissing his on-the-record appeal from metropolitan court for lack of a final order.

We issued a calendar notice proposing to affirm the district court. Defendant has responded with a memorandum in opposition. We affirm.

{2} The district court order dismissing Defendant's on-the-record appeal from metropolitan court indicates that the metropolitan court proceedings ended with the filing of a nolle prosequi and that no judgment or final order was entered below. [RP 15] There is no final metropolitan court in the record proper, or in records available online. Generally, appellate jurisdiction is limited to appeals that are timely filed from final decisions, orders, or judgments. *See State v. Lohberger*, 2008-NMSC-033, ¶ 19, 144 N.M. 297, 187 P.3d 162. This requirement applies to appeals taken from the metropolitan court to the district court. *See* Rule 5-827(A) NMRA. Accordingly, we affirm the district court's order dismissing Defendant's appeal.

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

J. MILES HANISEE, Judge

WE CONCUR:

JONATHAN B. SUTIN, Judge

MICHAEL E. VIGIL, Judge