



IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

STATE OF NEW MEXICO,

Plaintiff-Appellant,

v.

No. S-1-SC-40763

D-202-CR-2023-02388

ADRIAN DONTAE CAUSEY,

Defendant-Appellee.

PLAINTIFF – APPELLANT’S BRIEF IN CHIEF

APPEAL FROM THE SECOND JUDICIAL DISTRICT COURT
BERNALILLO COUNTY, NEW MEXICO
THE HONORABLE BRETT LOVELESS, PRESIDING

RAÚL TORREZ
Attorney General

FELICITY STRACHAN
Assistant Solicitor General

Attorneys for Plaintiff-Appellant
408 Galisteo Street
Santa Fe, NM 87501
(505) 249-2896

TABLE OF CONTENTS

TABLE OF AUTHORITIES	iii
NATURE OF THE CASE	1
SUMMARY OF RELEVANT FACTS AND PROCEEDINGS	2
QUESTION BEFORE THE COURT	3-4
ARGUMENT	4
I. STANDARD OF REVIEW	4
II. THE EXPANSION OF THE STOP WAS LAWFUL UNDER THE FOURTH AMENDMENT AND TEXAS LAW	5
III. CASELAW RELIED ON BY THE DISTRICT COURT IS DISTINGUISHABLE	7
IV. THE STATE ASKS THIS COURT TO ADOPT THE REASONING PUT FORTH IN THE SPECIAL CONCURRENCES FILED IN <i>SNYDER</i> AND <i>CARDENAS-ALVAREZ</i> ..	8
A. <i>STATE</i> v. <i>SNYDER</i>	8
B. <i>STATE</i> v. <i>CARDENAS-ALVAREZ</i>	10
C. LAFAVE ON MIRRORING	12
V. CONSENT	13
VI. A BLANKET RULING EXCLUDING EVIDENCE UNDER THESE CIRCUMSTANCES CAN AND WILL LEAD TO IMPRACTICABLE RESULTS, AS HAPPENED HERE	15
CONCLUSION	17

TABLE OF AUTHORITIES

NEW MEXICO CASES

<i>Chavez v. Bridgestone Americas Tire Operations, LLC</i> , 2022-NMSC-006	13
<i>State v. Cardenas-Alvarez</i> , 2001-NMSC-017, 130 N.M. 386	passim
<i>State v. Gomez</i> , 1997-NMSC-006, 122 N.M. 777	6
<i>State v. Gutierrez</i> , 1993-NMSC-062, 116 N.M. 431	9
<i>State v. Leyva</i> , 2011-NMSC-009, 149 N.M. 435	6
<i>State v. Martinez</i> , 2018-NMSC-007	4-5
<i>State v. Ryon</i> , 2005-NMSC-005, 137 N.M. 174	13-14
<i>State v. Smallwood</i> , 2007-NMSC-005, 141 N.M. 178	1
<i>State v. Snyder</i> , 1998-NMCA-166, 126 N.M. 168	passim
<i>State v. Vasquez-Salas</i> , 2023-NMSC-023	6
<i>State v. Yazzie</i> , 2016-NMSC-026	4-5

CASES FROM OTHER JURISDICTIONS

<i>Fernandez v. California</i> , 517 U.S. 292 (2014)	13-14
<i>International Shoe Co. v. Washington Office of Unemployment Compensation</i> <i>& Payment</i> , 326 U.S. 310 (1945)	13-14
<i>State v. Guzman</i> , 959 S.W. 2d 631 (Tex.Crim.App.1998)	5-6
<i>United States v. Bagley</i> , 473 U.S. 667 (1985)	24-25

NEW MEXICO STATUTES AND COURT RULES

N.M. Const. Art. II, § 10	passim
N.M. Const. Art. I	7
NMSA 1978, § 30-2-1 (1994)	1
NMSA 1978, § 31-18-14 (2009)	1
Rule 12-102 NMRA	1

OTHER AUTHORITIES

1 Wayne R. LaFave et al., <i>Criminal Procedure</i> § 2.12(c) (4th ed.)	11-12
---	-------

Citations to the Record Proper are in the form **[RP]**.

NATURE OF THE CASE

Defendant is charged with two capital felonies, each of which carries a possible life sentence. *See* NMSA 1978, §§ 30-2-1(A) (1994), 31-18-14 (2009). Accordingly, this Court has exclusive jurisdiction to hear this appeal. Rule 12-102(A) NMRA (2000); *State v. Smallwood*, 2007-NMSC-005, ¶ 11, 141 N.M. 178 (concluding that “the legislature intended for [the New Mexico Supreme Court] to have jurisdiction over interlocutory appeals in situations where a defendant may possibly be sentenced to life imprisonment or death.”). This case involves questions of choice of law, which appear to be particularly rare in the criminal context. In fact, no party has yet identified a New Mexico case directly on point.

Among other charges, Defendant is alleged to have shot and killed two people in New Mexico on January 15, 2017. Two days later, Defendant was arrested during a traffic stop in Texas. The arrest satisfied the requirements of the Fourth Amendment and Texas law, but the district court found that it did not satisfy the broader protections afforded during automobile stops under New Mexico law. The court found that since Defendant’s detention did not pass muster under the exclusionary rule of Article II, Section 10 of the New Mexico Constitution, the fruits of that detention, namely the gun that was used in the January 15, 2017 double homicide, and which was discovered during the traffic stop in Texas, could not be admitted as evidence in a state prosecution in New Mexico.

Article II, Section 10 governs only the actions of state agents and federal agents acting within the physical borders of New Mexico and has no application outside of those borders. Accordingly, the district court erred in finding that the arresting officers were required to comply with New Mexico law when arresting Defendant in Texas in order for any evidence obtained during the arrest to be admissible in state court in New Mexico. Because the evidence at issue was gathered in conformity with the Fourth Amendment and the law of the state in which it was obtained the district court erred in suppressing it.

SUMMARY OF FACTS AND PROCEEDINGS

The facts here are not in dispute. “At the evidentiary hearing on October 28, 2024, the parties stipulated to the facts as set forth in the parties’ pleadings and the two body camera videos of the traffic stop, which were admitted without objection.” [RP 99] On January 15, 2017, victims Tobi Stanfill and Daryl Young were shot and killed in Bernalillo County, New Mexico. [RP 1-3] Two days later, Defendant was a passenger in a car stopped by Texas law enforcement in Wheeler County, Texas, for “equipment failure,” namely, a broken headlight. [RP 100] The stop was initiated by Texas Deputy Sheriff Jeff Baker. [Id.] The car was driven by Adrienne Browne. [Id.] Defendant and Browne were driving east across Texas on their way to Georgia. [Id.]

While talking to Browne, Deputy Baker ran a background check on him and discovered that his Georgia driver's license was expired and that he had previously been charged in Georgia with aggravated battery with a weapon and other crimes. **[RP 100]** Deputy Baker issued Browne a warning for the defective headlight, told him to renew his expired driver's license, and returned his paperwork to him. **[Id.]** Thereafter Deputy Baker asked Browne if he could "talk to him for a few minutes." **[Id.]** Browne agreed. **[Id.]** In response to the Deputy's questions, Browne admitted that there was a marijuana joint in the car. **[Id.]**

Defendant also acknowledged that there was "weed" in the car and he was handcuffed and searched. **[RP 101]** During the search, Deputy Baker recovered a gun magazine from Defendant's pocket and asked if there was a gun in the car. **[Id.]** Defendant admitted that there was a gun on the floor behind the passenger seat. **[Id.]** The gun was recovered. **[Id.]** When Deputy Baker ran a check on the gun, it came back clean. **[RP 102]** The gun recovered from the traffic stop in Texas was eventually connected to the Bernalillo County double homicide pursuant to a cold case investigation.

QUESTION BEFORE THE COURT

The question before this Court is whether Article II, Section 10 requires the exclusion of evidence gathered outside of the boundaries of this state, when that evidence was gathered in conformity with the Fourth Amendment and with the law

of the obtaining state, but not necessarily in conformity with Article II, Section 10 of the New Mexico Constitution as interpreted by New Mexico courts thus far.

ARGUMENT

The question of which law to apply when a criminal defendant has been arrested in another state under circumstances that pass muster under the federal constitution and the arresting state, but not necessarily under the prosecuting state, appears to be a matter of first impression in New Mexico. Due to the lack of precedent on this specific issue, the district court analogized to two existing New Mexico cases, namely *State v. Snyder*, 1998-NMCA-166, 126 N.M. 168 and *State v. Cardenas-Alvarez*, 2001-NMSC-017, 130 N.M. 386. In each of those cases, the reviewing court found that New Mexico law applies to arrests made by federal agents within the boundaries of New Mexico. By contrast, this case involves actions of law enforcement agents outside of the borders of New Mexico, where the New Mexico constitution does not apply. Furthermore, both *Snyder* and *Cardenas-Alvarez* include at least one special concurrence pointing out the problems created when states attempt to regulate the behavior of non-state law enforcement agents.

I. STANDARD OF REVIEW

Appellate review of a district court's granting of a motion to suppress presents a mixed question of fact and law. *State v. Martinez*, 2018-NMSC-007, ¶ 8. "First we look for substantial evidence to support the [district] court's factual finding, with

deference to the district court's review of the testimony and other evidence presented.” *State v. Yazzie*, 2016-NMSC-026, ¶ 15. The reviewing court then analyzes whether the district court properly applied the law to those facts, “making a do novo determination of the constitutional reasonableness of the search or seizure.” *Id.*; *see also Snyder*, 1998-NMCA-166, ¶ 6 (applying de novo review to the question of “[w]hether the exclusionary rule under Article II, Section 10 of the New Mexico Constitution applies to the use of evidence in a New Mexico state court proceeding when that evidence resulted from a search conducted by federal border-patrol agents” (internal citations omitted)).

II. THE EXPANSION OF THE STOP WAS LEGAL UNDER THE FOURTH AMENDMENT AND TEXAS LAW

Under the Fourth Amendment, reasonable suspicion is required to stop an automobile. *Yazzie*, 2016-NMSC-026, ¶ 18 (“an investigatory stop is grounded on ... reasonable suspicion” (internal citation omitted)); *State v. Vasquez-Salas*, 2023-NMSC-023, ¶ 10 (“A traffic stop to investigate a potential violation constitutes a seizure of the occupants of the vehicle under the Fourth Amendment thereby requiring reasonable suspicion.” (internal citation omitted)).

Under Texas law, officers need nothing more than reasonable suspicion to expand an automobile stop to a search of the automobile and its occupants. *State v. Guzman*, 959 S.W. 2d 631, 634 (Tex. Crim. App. 1998) (holding that “the automobile exception to the Fourth Amendment of the United States Constitution

does not require the existence of exigent circumstances in addition to probable cause”). **[RP 102]** By contrast, New Mexico law requires a showing of exigent circumstances to justify expanding or extending a traffic stop. *State v. Gomez*, 1997-NMSC-006, ¶ 39, 122 N.M. 777 (announcing that “a warrantless search of an automobile and its contents requires a particularized showing of exigent circumstances”).

In New Mexico, the appropriate inquiry into the expansion of an automobile stop is “whether an officer’s traffic stop questions extended the time that a driver was detained, regardless of the questions’ content.” *Vasquez-Salas*, 2023-NMSC-023, ¶ 12 (internal quotation marks and citation omitted). Questions asked during the time it takes to complete the traffic stop are constitutionally permissible, as is a “de minimis detention after the completion of the stop.” *Id.* Furthermore, if, during the stop, an officer develops reasonable suspicion of other criminal activity, the officer is justified in expanding the stop. *Id.* (citing *State v. Leyva*, 2011-NMSC-009 ¶ 20, 149 N.M. 435).

Here, all parties agree that the initial stop of Browne’s automobile was justified. **[RP 108-111]** The question before the district court was whether the expansion of the traffic stop, which led to the search and arrest of Defendant, was justified under New Mexico law. **[*Id.*]** That court found that the expansion of the stop was not supported by a showing of exigent circumstances as required under

New Mexico's broader protections for warrantless automobile stops, and thus suppressed the evidence. [*Id.*]

III. CASELAW RELIED ON BY THE DISTRICT COURT IS DISTINGUISHABLE

Because there is no caselaw directly on point, the district court was forced to analogize to what caselaw there is. The court looked to two New Mexico cases that appear, on the surface, to be similar, namely *Snyder*, 1998-NMCA-166 and *Cardenas-Alvarez*, 2001-NMSC-017. [**RP 104-106**] However, these cases are distinguishable because in both *Snyder* and *Cardenas-Alvarez*, the stop and arrest at issue were effectuated within the borders of New Mexico.

In *Snyder*, the defendant was arrested by a U.S. Border Patrol agent at a fixed U.S. border checkpoint near Orogrande, New Mexico. In *Cardenas-Alvarez*, the defendant was arrested by a federal agent at a permanent checkpoint 60 miles north of the Mexican border. By contrast, here, the stop, expansion, search, and arrest were made outside of the boundaries of New Mexico. This matters because Article I of the New Mexico Constitution specifically defines the boundaries of its authority as the physical boundaries of the State of New Mexico.

Our constitution only governs actions taken within the boundaries of the state. In this case, the stop, expansion, search, and arrest occurred outside of the state. Accordingly, New Mexico's constitutional exclusionary standard does not apply. *See Snyder*, 1998-NMCA-166, ¶ 29 (Hartz, C.J., specially concurring) (reasoning

that the New Mexico Constitution “applies only to the sovereign governed by the constitution in which it appears – the State of New Mexico”). This is not to take issue with the rulings in *Snyder* and *Cardenas-Alvarez*, but to distinguish those rulings. It makes sense for the New Mexico Constitution to govern arrests effectuated, and evidence gathered, in New Mexico, but it does not make sense for the New Mexico Constitution to apply to arrests effectuated, or evidence gathered, in other states.

IV. THE STATE ASKS THIS COURT TO ADOPT THE REASONING PUT FORTH IN THE SPECIAL CONCURRENCES FILED IN *SNYDER* AND *CARDENAS-ALVAREZ*

The varying opinions expressed in *Snyder* and *Cardenas-Alvarez* demonstrate that this issue is not yet settled in New Mexico. In *Snyder*, Chief Judge Hartz wrote a lengthy special concurrence, in which he concurred in the result, but reasoned that the New Mexico Constitution “applies only to the sovereign governed by the constitution in which it appears – the State of New Mexico.” *Id.* ¶ 29. In *Cardenas-Alvarez*, both Chief Justice Serna and Justice Baca filed special concurrences, in which they made similar arguments. 130 N.M. 386, ¶¶ 25-81.

A. *STATE v. SNYDER*

The *Snyder* majority determined that “the State’s ability to use the evidence at issue in this case in the courts of the State of New Mexico is governed by the exclusionary rule under Article II, Section 10 of the New Mexico Constitution.”

1998-NMCA-166, ¶11. That court concluded that the Article II, Section 10 exigent circumstances requirement “applies to the federal border-patrol agent’s search of Defendant’s truck at a checkpoint in New Mexico when the State seeks to introduce evidence resulting from that search in a New Mexico state court.” *Id.* ¶ 18. Ultimately the court found that there were exigent circumstances to justify the stop and affirmed the district court’s ruling that the stop did not violate New Mexico’s exclusionary rule. *Id.* ¶ 24.

In a special concurrence, Chief Judge Hartz argued that Article II, Section 10 only applies within the state of New Mexico, and thus only prohibits actions taken by New Mexico officials. *Id.* ¶ 29 (stating that “[t]hose acting independently of the authority of the State of New Mexico, be they officers of another sovereign or private citizens, are not subject to Article II, Section 10” (internal quotation marks and citation omitted)). Chief Judge Hartz explained that, under *State v. Gutierrez*, 1993-NMSC-062, 116 N.M. 431, the purpose of the exclusionary rule is to protect against abuse of power by the State. 1998-NMCA-166, ¶ 34. But that purpose is not served where the action complained of was not taken by state actors, or within the boundaries of the state. *See id.* ¶ 32 (pointing out that the suppression of the evidence gathered by the federal agents would not be effective because “it is highly unlikely that federal officers would change their conduct to comply with state laws.”)

Chief Judge Hartz went on to note the insufficiency of the caselaw relied on by the majority. 1998-NMCA-166, ¶ 36 (“The majority opinion cites a few opinions to support applying the search-and-seizure law of the forum state to officers of other jurisdictions. I do not find them persuasive.”) The Chief Judge concluded that “[t]he better-reasoned opinions and commentary support the admission of evidence obtained by officers of another jurisdiction, particularly federal officers, who act in conformity with the laws of their own jurisdiction.” *Id.* ¶ 37.

Here, the gun was obtained by Texas officers in conformity with federal law and with the law of their own jurisdiction. Accordingly, the State requests that this Court consider and adopt Chief Judge Hartz’s reasoning on the admissibility of evidence seized in conformity with the law of the jurisdiction in which it was recovered.

B. *STATE v. CARDENAS-ALVAREZ*

This Court has also struggled to find agreement on this issue. In *Cardenas-Alvarez*, the majority held that “the New Mexico Constitution and laws apply to evidence seized by federal agents at a border patrol checkpoint sixty miles within the State of New Mexico when that evidence is proffered in state court.” 2001-NMSC-017, ¶ 1. However, that holding came with two special concurrences, one from Chief Justice Serna and one from Justice Baca.

Like Chief Judge Hartz before them, Chief Justice Serna and Justice Baca agreed with the majority's conclusion regarding the admissibility of the evidence, but did not agree with the majority's determination that the New Mexico Constitution could be applied to the actions of federal agents. *See* 2001-NMSC-017, ¶ 27 (Baca, J., specially concurring) (stating “[t]he New Mexico Constitution does not apply to federal agents and, as such, the federal agent in this case could not have violated” New Mexico’s exclusionary rule); *id.* ¶ 76 (Serna, C.J., specially concurring) (expressing “some doubt as to whether New Mexico has the authority to deem a search conducted by federal agents at a federal checkpoint for federal purposes pursuant to and in compliance with federal law to be illegal under the New Mexico Constitution”).

In this case, because the arrest at issue occurred outside of the boundaries of the state, the application of the New Mexico exclusionary rule makes even less sense than it did in *Snyder* and *Cardenas-Alvarez*. The State requests that this Court adopt the minority reasoning detailed in the special concurrences of Chief Judge Hartz, Chief Justice Serna, and Justice Baca.

C. LAFAVE ON MIRRORING

This issue is also discussed in Wayne R. LaFave’s treatise on Criminal Procedure. *See* 1 Wayne R. LaFave et al., *Criminal Procedure* § 2.12(c) (4th ed.). Section 2.12(c) is titled “The mirroring debate” and discusses the pros and cons of

“whether state courts should utilize a mirroring presumption in interpreting state guarantees having federal constitutional counterparts[.]” In discussing whether state prosecutors should be allowed to introduce evidence gathered by federal agents in conformity with federal law, but in violation of state constitutional law, LaFave notes that there is not uniformity among jurisdictions. “Some states appear to bar such evidence in all circumstances . . . , others appear to accept such evidence under all circumstances . . . , and still others appear to key rejection to whether the federal agents were working so closely with state officers as to be deemed their agents.” *Id.* Here, it is clear that the arresting officers were not working closely with New Mexico law enforcement. Far from being agents of the State of New Mexico, the arresting officers were bound by the law of Texas, as well as federal law, which they followed in stopping, searching, and arresting Defendant.

It must be acknowledged that our nation is made up of individual states, each state having its own individual state constitution, under the uniform protective umbrella of federal law. The individuality of each state does not extend beyond any state’s boundary, and yet, travel between states is incredibly common today. New Mexicans regularly visit other states and visitors from other states and other countries come here. The practical reality is that in the modern world people constantly flow across state, and even international, borders. It is not practical to base the system for the admission of evidence gathered in another jurisdiction on a

requirement that the person gathering the evidence comport with a constitutional provision that does not even apply to them.

It makes more sense to require that the evidence be lawfully gathered where it was obtained. This is especially true when the arrest occurs in another U.S. state because every state is bound by the requirements of the Fourth Amendment, which thus provides a consistent protective standard across the nation. Here, the expansion of the stop was lawfully conducted and the district court erred in ruling that the evidence must be suppressed.

V. CONSENT

Finally, by entering a state, a person consents to the legal and procedural structures of that state. *See Chavez v. Bridgestone Americas Tire Operations, LLC*, 2022-NMSC-006, ¶ 15 (citing *Int'l Shoe Co. v. Washington Off. of Unemployment Comp. & Placement*, 326 U.S. 310, 319 (1945), for the proposition that “to the extent that a [nonresident defendant] exercises the privilege of conducting activities within a state, it enjoys the benefits and protection of the laws of that state.”) As the U.S. Supreme Court did in *International Shoe*, the *Chavez* Court acknowledged that, “[t]he exercise of that privilege may give rise to obligations.” *Id.* Here, once Defendant and Browne entered Texas, they consented to be subjected to Texas law and procedures. “Consent is an exception to the Fourth Amendment probable cause and reasonable suspicion requirements[.]” *State v. Ryon*, 2005-NMSC-005, ¶ 20, 137

N.M. 174 (internal quotation marks and citation omitted); *see also Fernandez v. California*, 571 U.S. 292, 292 (2014) (stating that “[c]onsent searches are permissible warrantless searches”). By voluntarily entering Texas, Defendant and Browne consented to be governed by Texas, not New Mexico, law and procedures.

New Mexicans do not take their Article II, Section 10 protections with them to other states, but submit themselves to the legal peculiarities of that particular state, under the umbrella protections of the Fourth Amendment. Nor do citizens of other states carry their home states constitutional protections with them when they come to New Mexico. When non-New Mexicans come to New Mexico, they are obligated to follow New Mexico’s particular rule of law. Thus, where a stop, search, and / or arrest occurs lawfully in one U.S. state, the lawfulness of the stop, search and / or arrest should be recognized in other U.S. states.

The State asks this Court to consider the reasoning put forth in the special concurrences filed in *Snyder* and *Cardenas-Alvarez*, as well as LaFave’s treatise on criminal procedure. The State asks this Court to adopt a rule that allows for the admission of evidence in state court where that evidence was gathered in a manner that was lawful at the time and place it was obtained. Excluding evidence in New Mexico state courts because the arresting Texas officers did not comply with a New Mexico constitutional provision will not have any effect on how Texas law enforcement officers do their work. So, while there is no claim that any New Mexico

actor did anything wrong, the State of New Mexico is effectively punished by not being allowed to prosecute this case meaningfully, and the victims' survivors will be left without any chance at justice. The evidence at issue is not irrelevant or insignificant. It is the gun that was used to murder two people in New Mexico, and its suppression is not warranted.

VI. A BLANKET RULE EXCLUDING EVIDENCE UNDER THESE CIRCUMSTANCES CAN AND WILL LEAD TO IMPRACTICABLE RESULTS, AS HAPPENED HERE

Finally, a blanket refusal to admit evidence lawfully obtained outside of the jurisdiction of New Mexico can and will lead to impracticable results, as has happened here. The purpose of the New Mexico exclusionary rule is to protect citizens from unreasonable governmental interference. But here there is no claim that any New Mexico officials engaged in unreasonable governmental action. Accordingly, the purpose of the rule is not served in this case by suppressing the gun that was used to murder two people in New Mexico. In fact, the suppression of the evidence under the facts of this case endangers New Mexicans by allowing a criminal defendant to benefit from having the good fortune to have chosen to murder two people here.

What if Defendant had been arrested in Canada? Or Thailand? Or any other country in the world? No other jurisdiction has an exact copy of Article II, Section 10 of the New Mexico Constitution, as interpreted by New Mexico courts. Would

New Mexico's constitutional exclusionary standard require suppression of any evidence gathered outside of the jurisdiction of the United States? What if Defendant had been stopped, not by law enforcement officials, but by private security officers at an out-of-state shopping mall? Would New Mexico courts require the suppression of any evidence gathered by a third party, acting legally, where that evidence was not gathered in conformity with Article II, Section 10? It is not difficult to imagine a situation where a criminal defendant could escape any meaningful prosecution by committing crimes in New Mexico and then simply driving or walking into Mexico and getting arrested there under circumstances that fail to meet Article II, Section 10 standards.

Article II, Section 10 should not be allowed to be used as a tool for criminals to escape prosecution, thereby putting New Mexicans at greater risk. While the purpose of Article II, Section 10 is an admirable one, it cannot come at the cost of New Mexican lives. The practical effect of the district court's ruling is that it rewards criminal defendants for committing crimes in this state. Accordingly, the State respectfully requests this Court adopt the reasoning detailed in the concurring opinions contained in *Snyder* and *Cardenas-Alvarez*.

CONCLUSION

For these reasons, the State respectfully requests that this Court overturn the district court's order granting Defendant's motion to suppress evidence.

RAÚL TORREZ
Attorney General

/s/ Felicity Strachan
FELICITY STRACHAN
Assistant Solicitor General
408 Galisteo Street
Santa Fe, NM 87501
(505) 249-2896

CERTIFICATE OF SERVICE

I hereby certify that, on May 15, 2025, I filed a true and correct copy of the foregoing through the Odyssey/E-File & Serve System, which effectuated electronic service to all those listed as service contacts.

/s/ Felicity Strachan
FELICITY STRACHAN
Assistant Solicitor General