SECOND JUDICIAL DISTRICT COURT COUNTY OF BERNALILLO STATE OF NEW MEXICO OFILED IN MY OFFICE SECOND JUDICIAL DISTRICT COURT BERNALILLO COUNTY, NM JAMES A. NOEL 8/31/2018 3:42 PM DOMINIC SALAS

No. CR 2017-398

STATE OF NEW MEXICO, Plaintiff,

vs.

Daryl IRVIN ALBERT Defendant.

MOTION FOR RECONSIDERATION OF SENTENCE

Defendant, through counsel and pursuant to NMRA Rules 5-120 and 5-801 respectfully requests this Court issue an order modifying and/or reducing Defendant's sentence. As grounds for this motion, defendant through counsel states:

- On 6/5/2018, Defendant was sentenced to five years incarceration in the Department of Corrections (DOC) and a term of two years supervised probation for the above listed case.
- 2. Defendant would like the opportunity to inform the court of new information concerning his sentence.
- 3. Defendant respectfully requests modification of his sentence.

This will certify that a copy of the foregoing was placed in the District Attorney's upon filing.

Attorney for Defendant

Respectfully Submitted By:

Christopher J. Knight 505 Marquette NW, Suite 120 Albuquerque, NM 87102 Phone: 505-835-2206

Assigned Judge: <u>Hon. Jacqueline Flores</u> Time: <u>10 minutes</u>