

STATE V. CORTEZ, 1983-NMCA-067, 100 N.M. 666, 674 P.2d 1126 (Ct. App. 1983)

**STATE of New Mexico, Plaintiff-Appellee,
vs.
George A. CORTEZ, a/k/a George Robert Cortez,
Defendant-Appellant.**

No. 5587

COURT OF APPEALS OF NEW MEXICO

1983-NMCA-067, 100 N.M. 666, 674 P.2d 1126

May 24, 1983

Petition for Writ of Certiorari Denied July 22, 1983

COUNSEL

Paul Bardacke, Atty. Gen., William Lazar, Asst. Atty. Gen., Santa Fe, for plaintiff-appellee.

Winston Roberts-Hohl, Singleton & Roberts-Hohl, Santa Fe, Driggers & Driggers, Las Cruces, for defendant-appellant.

OPINION ON REMAND

JUDGES

WALTERS, C.J., wrote the opinion. WOOD and LOPEZ, JJ., concur.

AUTHOR: WALTERS

OPINION

WALTERS, Chief Judge.

{1} The Supreme Court granted certiorari in this case, and on February 3, 1983, 100 N.M. 158, 667 P.2d 963, reversed the majority opinion and adopted the opinion of Judge Wood as the opinion of the Supreme Court. The file was returned to this court on May 17, 1983. Among the matters discussed by Judge Wood was his satisfaction that the evidence was sufficient to show an intent to distribute cocaine. On remand we are directed to address that issue.

{2} The Supreme Court having adopted Judge Wood's opinion, we are constrained to and do hold that the evidence was sufficient to support defendant's conviction on that charge.

{*667} **{3}** The judgment and sentence on all counts is affirmed. IT IS SO ORDERED.

WOOD and LOPEZ, JJ., concur.