

**WHITTINGTON V. STATE DEP'T OF PUB. SAFETY, 1999-NMCA-150, 128 N.M. 338,
992 P.2d 889**

CASE HISTORY ALERT: affected by 2000-NMCA-055

**STEPHEN R. WHITTINGTON, et al., Plaintiffs-Appellants,
vs.
STATE OF NEW MEXICO DEPARTMENT. OF PUBLIC SAFETY, DARREN P.
WHITE, in his capacity as Secretary of the New Mexico
Department of Public Safety, and FRANK TAYLOR,
in his capacity as the Chief of the New
Mexico State Police,
Defendants-Appellees.**

Docket No. 19,065

COURT OF APPEALS OF NEW MEXICO

1999-NMCA-150, 128 N.M. 338, 992 P.2d 889

September 13, 1999, Filed

APPEAL FROM THE DISTRICT COURT OF CURRY COUNTY. William P. Lynch,
District Judge.

Withdrawn by the Court May 5, 2000; Substituted Opinion of May 5, 2000. Certiorari
Denied, No. 25,989, November 9, 1999. Released for Publication December 2, 1999.
As Corrected December 30, 1999.