

**BEERY V. ZIMMERMAN EX REL. DONA ANA COUNTY, 1964-NMSC-041, 73 N.M.
469, 389 P.2d 405 (S. Ct. 1964)**

**Wilma L. BEERY, as Personal Representative and Sole
Surviving Heir-at-Law of Douglas E. Beery, Deceased,
Petitioner,**

vs.

**Honorable George L. ZIMMERMAN, Judge of the Third Judicial
District of the State of New Mexico, within and for
Dona Ana County, Respondent**

No. 7581

SUPREME COURT OF NEW MEXICO

1964-NMSC-041, 73 N.M. 469, 389 P.2d 405

February 26, 1964

JUDGES

Compton, Chief Justice, and Carmody, Chavez and Noble, Justices, concurring; Moise, Justice, being absent.

OPINION

{*469} Original Prohibition Proceeding. Ordered that in consideration of State v. White, 71 N.M. 342, 378 P.2d 379, and National American Life Insurance Company v. Baxter, 73 N.M. 94, 385 P.2d 956, the alternative writ of prohibition heretofore issued herein on February 12, 1964, be and the same is hereby made permanent.