

DICK V. CITY OF PORTALES, 118 N.M. 695, 884 P.2d 1174 (S. Ct. 1993)

**GEORGE DICK and SUSAN DICK, Petitioners-Petitioners,
vs.
THE CITY OF PORTALES, THE ALCOHOL AND GAMING DIVISION OF
THE STATE OF NEW MEXICO REGULATIONS AND LICENSING
DEPARTMENT, and MARY ANN HUGHES, Acting
Director, Respondents-Respondents.**

No. 21,694

SUPREME COURT OF NEW MEXICO

118 N.M. 695, 884 P.2d 1174

December 15, 1993, Decided

OPINION

ORDER

WHEREAS, on November 1, 1993, this Court entered an order denying a petition for writ of certiorari to the New Mexico Court of Appeals in the above-entitled matter, being Docket No. 14,236 in the New Mexico Court of Appeals; and

WHEREAS, the order of this Court entered November 1, 1993, was entered improvidently through administrative error and oversight, as it was the understanding of the full Court as late as December 8, 1993, that the petition for writ of certiorari was pending and would be granted; and

WHEREAS, the inadvertent denial of certiorari came to the attention of the Court following the issuance of the mandate of the New Mexico Court of Appeals on December 13, 1993.

NOW, THEREFORE, IT IS ORDERED that denial of the petition for writ of certiorari be and the same hereby is vacated and that the New Mexico Court of Appeals shall recall its mandate.