

**HODGE V. COX, 1962-NMSC-057, 70 N.M. 107, 370 P.2d 908 (S. Ct. 1962)**

**Bill HODGE, Petitioner,  
vs.  
Harold A. COX, Warden of the New Mexico State Penitentiary,  
and The State of New Mexico et al., Respondents**

No. 7120

SUPREME COURT OF NEW MEXICO

1962-NMSC-057, 70 N.M. 107, 370 P.2d 908

May 02, 1962

**JUDGES**

Compton, Chief Justice, and Carmody and Chavez, Justices, concurring; Moise and Noble, Justices, not participating.

**OPINION**

{\*107} Original Habeas Corpus Proceeding.

Ordered that the request for free process be and the same is hereby granted, and the petition for writ of habeas corpus is denied, for the reason that the petitioner has not exhausted his remedy in the district court.