

LUTTERBY V. BRAVO, 130 N.M. 558, 28 P.3d 1099 (S. Ct. 2001)

**WALTER LUTTERBY, Petitioner,
vs.
ERASMO BRAVO, Warden, Respondent.**

NO. 26,962

SUPREME COURT OF NEW MEXICO

130 N.M. 558, 28 P.3d 1099

July 16, 2001, Decided

OPINION

ORDER

WHEREAS, this matter came on for consideration by the Court upon a petition for writ of certiorari filed pursuant to Rule 12-501 NMRA, and the Court having considered said petition and being sufficiently advised, Chief Justice Patricio M. Serna, Justice Joseph F. Baca, Justice Gene E. Franchini, Justice Pamela B. Minzner, and Justice Petra Jimenez Maes concurring;

NOW, THEREFORE, IT IS ORDERED that the petition for writ of certiorari is GRANTED and a writ of certiorari shall be issued to the district court; and

IT IS FURTHER ORDERED that the petition is granted only on issues numbered three (3) and four (4) as stated in the petition relating to double jeopardy.

IT IS SO ORDERED.