

**MARTINEZ V. EIGHT NORTHERN INDIAN PUEBLO COUNCIL, 124 N.M. 589, 953
P.2d 1087 (S. Ct. 1998)**

**EZECHIEL MARTINEZ, Worker-Respondent,
vs.
EIGHT NORTHERN INDIAN PUEBLO COUNCIL, INC., and NEW MEXICO
MUTUAL CASUALTY COMPANY, Employer-Insurer-Petitioners.**

NO. 24,533

SUPREME COURT OF NEW MEXICO

124 N.M. 589, 953 P.2d 1087

February 16, 1998, Decided

OPINION

ORDER

WHEREAS, this matter came on for consideration upon petition for writ of certiorari, and the Court having considered said petition and being sufficiently advised, issued its writ of certiorari on August 18, 1997, and, after further consideration of the petition, briefs filed therein, and oral argument by the parties, the judgment of the Court is that the writ shall be quashed;

NOW, THEREFORE, IT IS ORDERED that the writ of certiorari issued on August 18, 1997, hereby is QUASHED;

IT IS FURTHER ORDERED that respondent is awarded attorney fees of \$ 6,500 for fees incurred on appeal in the New Mexico Court of Appeals and in the New Mexico Supreme Court; and

IT IS FURTHER ORDERED that pursuant to the Court of Appeals' opinion regarding the \$ 12,5000.00 attorney fees cap, the Worker's Compensation Judge can only award an additional \$ 6,000.00 maximum.