

**PECE V. STATE, 1963-NMSC-011, 71 N.M. 280, 377 P.2d 687 (S. Ct. 1963)**

**Cecil Alvin PECE, Petitioner,  
vs.  
The STATE of New Mexico and Harold A. Cox et al.,  
Respondents**

No. 16 HC

SUPREME COURT OF NEW MEXICO

1963-NMSC-011, 71 N.M. 280, 377 P.2d 687

January 18, 1963

**JUDGES**

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

**OPINION**

{\*280} 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 be and the same is hereby denied for failure to allege that petitioner has exhausted his district court remedy.