

STATE V. ROSENWALD, 1918-NMSC-010, 23 N.M. 584, 170 P. 45 (S. Ct. 1918)

**STATE
vs.
ROSENWALD et al.**

No. 2101.

SUPREME COURT OF NEW MEXICO

1918-NMSC-010, 23 N.M. 584, 170 P. 45

January 08, 1918, Decided

Appeal from District Court, Bernalillo County; Raynolds, Judge.

Proceeding by D. S. Rosenwald and S. U. Rosenwald, doing business under the name of the New Mexico Cigar Company, for a reduction of an assessment. From an order granting relief, the State of New Mexico appeals. Dismissed.

SYLLABUS

SYLLABUS BY THE COURT.

An appeal does not lie to this court from a judgment rendered by a district court in proceedings instituted under section 5475, Code 1915.

COUNSEL

H. L. Patton, Atty. Gen. for the State. James R. Moore, Albuquerque, for appellees.

JUDGES

PARKER, J. HANNA, C. J., and ROBERTS, J., concur.

AUTHOR: PARKER

OPINION

{*585} {1} OPINION OF THE COURT. PARKER, J. This case is controlled by our decision In re Rosenwald Bros., a corporation, 23 N.M. 578, 170 P. 42, and In re Atchison, T. & S. F. Ry Co. v. State, 23 N.M. 585, 170 P. 44, neither of which has yet been officially reported.

{2} The appeal will therefore be dismissed; and it is so ordered.

HANNA, C. J., and ROBERTS, J., concur.