

**STATE V. POPP, 1931-NMSC-061, 35 N.M. 658, 6 P.2d 200 (S. Ct. 1931)**

**STATE  
vs.  
POPP et al.**

No. 3604

SUPREME COURT OF NEW MEXICO

1931-NMSC-061, 35 N.M. 658, 6 P.2d 200

December 14, 1931

Appeal from District Court, Santa Fe County; Holloman, Judge.

Proceeding by the State of New Mexico against G. P. Popp and another. From judgment rendered, the plaintiff appeals.

**SYLLABUS**

**SYLLABUS BY THE COURT**

1. Failure on the part of appellant or plaintiff in error to file briefs within thirty days after the filing of the transcript in this court will authorize this court, under the provisions of rule XV, § 11, to dismiss the appeal or writ of error.

**COUNSEL**

John J. Kenney, of Santa Fe, for appellant.

E. R. Wright and Carl H. Gilbert, both of Santa Fe, for appellees.

**JUDGES**

Parker, J. Bickley, C. J., and Watson, J., concur. Sadler and Hudspeth, JJ., did not participate.

**AUTHOR: PARKER**

**OPINION**

{\*659} {1} OPINION OF THE COURT The transcript on appeal in this case was filed June 26, 1930, since which time nothing whatever has been done by way of filing briefs in behalf of appellant, or the taking of any other steps which might possibly toll the time.

It is therefore considered by the court, in pursuance of rule XV, section 11, that the appeal in this court should be dismissed, and it is so ordered.