

SMITH V. PEOPLE, 1962-NMSC-152, 71 N.M. 112, 376 P.2d 54 (S. Ct. 1962)

**Harry D. SMITH, Petitioner,
vs.
The PEOPLE of the State of New Mexico et al., Respondents**

No. 5 HC

SUPREME COURT OF NEW MEXICO

1962-NMSC-152, 71 N.M. 112, 376 P.2d 54

November 08, 1962

JUDGES

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

OPINION

{*112} 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 the reasons that the function of writ of habeas corpus is not to review the record for errors of the trial court and the petition states no facts showing petitioner is unlawfully deprived of his liberty.