

**STATE EX REL. STATE HWY. COMM'N V. TACKETT, 1964-NMSC-165, 74 N.M. 395,
394 P.2d 155 (S. Ct. 1964)**

**STATE of New Mexico ex rel. STATE HIGHWAY COMMISSION of New
Mexico, Relator,**

vs.

**The Honorable Paul TACKETT of the District Court of the
Second Judicial District of the State of New Mexico,
Respondent**

No. 7656

SUPREME COURT OF NEW MEXICO

1964-NMSC-165, 74 N.M. 395, 394 P.2d 155

July 15, 1964

JUDGES

Compton, Chief Justice, and Carmody, Chavez, and Noble, Justices, concurring; Moise,
Justice, absent and not participating.

OPINION

{*395} Original Prohibition Proceeding.

Ordered that the alternative writ of prohibition heretofore issued on June 10, 1964,
prohibiting respondent from setting a certain cause for non-jury trial because of non-
payment by relator of the jury fee, be, and the same hereby is, made absolute.