

**STATE V. GUNTHORPE, 81 N.M. 588, 470 P.2d 309 (S. Ct. 1970)**

**STATE of New Mexico, Plaintiff-Respondent,  
vs.  
Wendell D. GUNTHORPE, Defendant-Petitioner**

No. 9050

SUPREME COURT OF NEW MEXICO

81 N.M. 588, 470 P.2d 309

May 12, 1970

**OPINION**

{\*588} Original Proceeding in Certiorari

COMPTON, Chief Justice, and TACKETT, SISK and McKENNA, Justices, concurring.

WATSON, Justice, not participating.

Ordered that petition for writ of certiorari be and the same is hereby denied.

Further ordered that the record in Court of Appeals Cause No. 374, 81 N.M. 515, 469 P.2d 160, be and the same is hereby returned to the Clerk of the Court of Appeals.