

**STATE V. BACA, 121 N.M. 119, 908 P.2d 1387 (S. Ct. 1996)**

**STATE OF NEW MEXICO, Plaintiff-Respondent,  
vs.  
MAGDALENO BACA, Defendant-Petitioner**

No. 23,343

SUPREME COURT OF NEW MEXICO

121 N.M. 119, 908 P.2d 1387

January 11, 1996

Petition for Writ of Certiorari Granted December 3, 1996.

**OPINION**

**ORDER**

WHEREAS, this matter came on for consideration by the Court upon petition for writ of certiorari to the New Mexico Court of Appeals, and the Court having considered said petition and being sufficiently advised;

NOW, THEREFORE, IT IS ORDERED that the petition hereby is GRANTED on both issues presented in the petition and a writ of certiorari shall issue to the New Mexico Court of Appeals;

IT IS FURTHER ORDERED that petitioner shall file his brief in chief on or before **February 16, 1996**, with respondent's answer brief due thirty (30) days after the filing of petitioner's brief, and petitioner's reply brief, if any, due ten (10) days after filing of respondent's brief;

IT IS FURTHER ORDERED that the briefs shall consolidate and update the briefs filed in the New Mexico Court of Appeals with respect to the issues identified, without incorporation by reference, and comment on the memorandum opinion filed November 20, 1995; and

IT IS FURTHER ORDERED that oral argument shall be heard in this matter after all briefs have been filed.