

STATE V. SWAN, 130 N.M. 154, 20 P.3d 811 (S. Ct. 2001)

**STATE OF NEW MEXICO, Plaintiff-Respondent,
vs.
VERN SWAN, Defendant-Petitioner.**

NO. 26,057

SUPREME COURT OF NEW MEXICO

130 N.M. 154, 20 P.3d 811

January 09, 2001, Decided

OPINION

ORDER

WHEREAS, this matter came on for consideration upon petition for writ of certiorari, and the Court having considered said petition and being sufficiently advised, issued its writ of certiorari on December 28, 1999, and, after further consideration of the petition, briefs, and oral argument, the judgment of the Court is that the writ shall be quashed, Chief Justice Patricio M. Serna, Justice Joseph F. Baca, and Justice Petra Jimenez Maes concurring, Justice Gene E. Franchini and Justice Pamela B. Minzner dissenting;

NOW, THEREFORE, IT IS ORDERED that the writ of certiorari issued on December 28, 1999, hereby is QUASHED.

IT IS SO ORDERED.