

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

**STATE OF NEW MEXICO, Plaintiff-Respondent,
vs.
ANTHONY SANDOVAL, Defendant-Petitioner.**

NO. 26,727

SUPREME COURT OF NEW MEXICO

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

February 14, 2001, Decided

OPINION

ORDER

WHEREAS, this matter came on for consideration by the Court upon petition for writ of certiorari, and the Court having considered said petition and being sufficiently advised, Chief Justice Patricio M. Serna, Justice Joseph F. Baca, Justice Gene E. Franchini, Justice Pamela B. Minzner, and Justice Petra Jimenez Maes concurring;

NOW, THEREFORE, IT IS ORDERED that the petition hereby is **GRANTED only on issue numbered one (1) as raised 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 **April 9, 2001**, with respondent's answer brief due forty-five (45) days after the filing of petitioner's brief, and petitioner's reply brief, if any, due twenty (20) days after filing of respondent's answer briefs in accordance with the Rules of Appellate Procedure;

IT IS FURTHER ORDERED that the briefs shall consolidate and update any briefs filed in the New Mexico Court of Appeals **with respect to the issue identified herein**, without incorporation by reference, and shall comment on the Court of Appeals memorandum opinion filed December 7, 2000; and

IT IS FURTHER ORDERED that no oral argument will be heard in this matter and the cause shall be submitted to the Court upon the filing of all briefs.

IT IS SO ORDERED.