

**STATE V. ESCALERA, 130 N.M. 459, 26 P.3d 103 (S. Ct. 2001)**

**STATE OF NEW MEXICO, Plaintiff-Petitioner,  
vs.  
FABIAN ESCALERA, Defendant-Respondent.**

NO. 26,881

SUPREME COURT OF NEW MEXICO

130 N.M. 459, 26 P.3d 103

May 23, 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 for writ of certiorari is **denied** in Court of Appeal number **21538**.