

**STATE V. GUTIERREZ, 131 N.M. 564, 40 P.3d 1008 (S. Ct. 2002)**

**STATE OF NEW MEXICO, Plaintiff-Respondent,  
vs.  
FRANK T. GUTIERREZ, Defendant-Petitioner.**

NO. 27,251

SUPREME COURT OF NEW MEXICO

131 N.M. 564, 40 P.3d 1008

January 07, 2002

**OPINION**

**ORDER**

This matter coming 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 **22433**.

IT IS SO ORDERED.