

**STATE V. GONZALES, 132 N.M. 288, 47 P.3d 447 (S. Ct. 2002)**

**STATE OF NEW MEXICO, Plaintiff-Respondent,  
vs.  
RUDY GONZALES, Defendant-Petitioner**

NO. 27,457

SUPREME COURT OF NEW MEXICO

132 N.M. 288, 47 P.3d 447

May 31, 2002, Decided

**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 issued its writ of certiorari on May 17, 2002; and

WHEREAS, the petition was GRANTED only on issue "A" as stated in the

NOW, THEREFORE, IT IS ORDERED that this cause hereby is placed on the GENERAL CALENDAR and the parties hereby are notified that the Record Proper was filed in this Court on May 22, 2002;

IT IS FURTHER ORDERED that petitioner may designate the Transcript of Proceedings pursuant to Rule 12-211 NMRA;

IT IS FURTHER ORDERED that petitioner's brief in chief shall be timely if filed on or before July 26, 2002, 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 brief 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 March 5, 2002; and

IT IS FURTHER ORDERED that oral argument shall be heard after the filing of all briefs.

IT IS SO ORDERED.

WITNESS, Honorable Patricio M. Serna, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 31st day of May, 2002.