

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

**STATE OF NEW MEXICO, Plaintiff-Respondent,
vs.
LESLIE EUGENE ELLIOTT, Defendant-Petitioner.**

NO. 27,207

SUPREME COURT OF NEW MEXICO

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

May 28, 2002, Decided

OPINION

ORDER

WHEREAS, this matter came on for consideration upon petition for writ of certiorari filed pursuant to Rule 12-502 NMRA, and the Court having considered said petition and being sufficiently advised, issued its writ of certiorari on December 7, 2001, and, after further consideration of the petition, briefs, and oral argument by the parties, the judgment of the Court is that the writ shall be quashed, 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 writ of certiorari issued on December 7, 2001, hereby is QUASHED; and

IT IS FURTHER ORDERED that the record proper and taped proceedings shall be returned to the New Mexico Court of Appeals.

IT IS SO ORDERED.

WITNESS, Honorable Patricia M. Serna, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 28th day of May, 2002.

(SEAL)

Kathleen Gibson, Chief Clerk of the Supreme Court of the State of New Mexico