

**STATE V. MAGALDE, 132 N.M. 551, 52 P.3d 411 (S. Ct. 2002)**

**STATE OF NEW MEXICO, Plaintiff-Respondent  
vs.  
SANTIAGO LIRA MAGALDE, Defendant-Petitioner.**

NO. 27,305

SUPREME COURT OF NEW MEXICO

132 N.M. 551, 52 P.3d 411

July 26, 2002, Decided

**OPINION**

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 February 6, 2002; and

WHEREAS, upon petitioner's motion to quash the writ of certiorari, the judgment of the Court is that the writ shall be quashed, Chief Justice Particio 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 February 6, 2002, hereby is QUASHED; and

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

IT IS SO ORDERED.