

**STATE EX REL. STATE HIGHWAY & TRANSP. DEP'T V. CITY OF SUNLAND PARK,  
133 N.M. 31, 59 P.3d 1263 (S. Ct. 2002)**

**STATE OF NEW MEXICO ex rel., STATE HIGHWAY AND  
TRANSPORTATION DEPARTMENT OF NEW MEXICO,  
Petitioner-Respondent,  
vs.  
CITY OF SUNLAND PARK, Respondent-Petitioner. Consolidate  
with: PASEO DEL NORTE LIMITED PARTNERSHIP, a New  
Mexico limited partnership,  
Petitioner-Respondent, vs. CITY OF  
SUNLAND PARK,  
Respondent-Petitioner, vs.  
BOARD OF COUNTY  
COMMISSIONERS OF  
DONA ANA  
COUNTY,  
Intervenor-Respondent.**

NO. 25,976

SUPREME COURT OF NEW MEXICO

133 N.M. 31, 59 P.3d 1263

September 17, 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 November 1, 1999;

WHEREAS, an order of stay was issued on October 16, 2000, and lifted by order issued July 8, 2002; and

WHEREAS, having considered the briefs and oral arguments of the parties, the judgment of the Court is that the writ shall be quashed, Chief Justice Patricio M. Serna, 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 November 1, 1999, hereby is QUASHED; and

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

IT IS SO ORDERED.