

**STATE V. GONZALES, 133 N.M. 7, 57 P.3d 861 (S. Ct. 2002)**

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

NO. 27,457

SUPREME COURT OF NEW MEXICO

133 N.M. 7, 57 P.3d 861

October 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 May 17, 2002; and

WHEREAS, having considered the 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 Gene E. Franchini, Justice Pamela B. Minzner, Justice Petra Jimenez Maes, and Justice Paul J. Kennedy concurring;

NOW, THEREFORE, IT IS ORDERED that the writ of certiorari issued on May 17, 2002, 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.