

STATE V. SPANARKEL, 133 N.M. 30, 59 P.3d 1262 (S. Ct. 2002)

**STATE OF NEW MEXICO, Plaintiff-Respondent,
vs.
VINCENT SPANARKEL, Defendant-Petitioner.**

NO. 26,770

SUPREME COURT OF NEW MEXICO

133 N.M. 30, 59 P.3d 1262

December 13, 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 March 2, 2001; and

WHEREAS, having considered the oral argument and briefs, 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 March 2, 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 Patricio M. Serna, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 13th day of December, 2002.