

MONTOYA V. STATE, 95 N.M. 426, 622 P.2d 1046 (S. Ct. 1981)

**ERNEST JOE MONTOYA, Petitioner,
vs.
STATE OF NEW MEXICO, Respondent.**

No. 12949

SUPREME COURT OF NEW MEXICO

95 N.M. 426, 622 P.2d 1046

January 27, 1981

Original Proceeding on Certiorari

OPINION

This cause having heretofore been submitted and taken under advisement, and a writ of certiorari having been issued by this Court on March 11, 1980;

NOW, THEREFORE, IT IS ORDERED that the writ of certiorari heretofore issued on March 11, 1980 in the above entitled cause, be and the same is hereby quashed as having been improvidently issued.

IT IS FURTHER ORDERED that the Record in Cause No. 3958 be and the same is hereby returned to the Clerk of the Court of Appeals.