

**FERNANDEZ V. PACIFIC STUD LUMBER CO., 1974-NMCA-128, 87 N.M. 56, 529
P.2d 282 (Ct. App. 1974)**

**Santiago FERNANDEZ, Plaintiff-Appellant,
vs.
PACIFIC STUD LUMBER COMPANY, INC., and Employers Insurance
of Wausau, Defendants-Appellees.**

No. 1152

COURT OF APPEALS OF NEW MEXICO

1974-NMCA-128, 87 N.M. 56, 529 P.2d 282

October 30, 1974

Petition for Writ of Certiorari Denied November 27, 1974¹

COUNSEL

Appeal from District Court, Colfax County; Dee C. Blythe, Judge.

Donald A. Martinez, Las Vegas, for plaintiff-appellant.

Leland S. Sedberry, Jr., Modrall, Sperling, Roehl, Harris & Sisk, Albuquerque, for defendants-appellees.

JUDGES

HERNANDEZ, J., wrote the opinion. HENDLEY and SUTIN, JJ., concur.

AUTHOR: HERNANDEZ

OPINION

HERNANDEZ, Judge.

{1} Upon motion for rehearing, the previous opinion is withdrawn and the following substituted.

{2} Neither of appellant's two points of error have merit.

{3} A review of the record reveals substantial evidence supporting the finding of the trial court as to the extent of appellant's {57} disability. *Ensley v. Grace*, 76 N.M. 691, 417 P.2d 885 (1966).

{4} Appellant's second point could only be conceded if the trial court had erred as to his first point.

{5} Affirmed.

{6} It is so ordered.

HENDLEY and SUTIN, JJ., concur.

GENERAL FOOTNOTES

 * See 87 N.M. 47, 529 P.2d 273.