

CHAPPELL V. LYTLE, 131 N.M. 564, 40 P.3d 1008 (S. Ct. 2002)

**ROBERT CHAPPELL, Petitioner,
vs.
RON LYTLE, Warden, Respondent.**

NO. 27,298

SUPREME COURT OF NEW MEXICO

131 N.M. 564, 40 P.3d 1008

January 17, 2002, Decided

OPINION

ORDER

WHEREAS, this matter came on for consideration by the Court upon a petition for writ of certiorari filed pursuant to Rule 12-501 NMRA, and the Court having considered said petition and being sufficiently advised, Chief Justice Patricio M. Serna, Justice Joseph F. Baca, Justice Gene E. Franchini, and Justice Petra Jimenez Maes concurring, Justice Pamela B. Minzner recusing;

NOW, THEREFORE, IT IS ORDERED that the petition for writ of certiorari is GRANTED and a writ of certiorari shall be issued to the district court; and

IT IS FURTHER ORDERED that the matter shall be remanded to the district court for an evidentiary hearing.

IT IS SO ORDERED.