

**DE SOTO V. STATE, 95 N.M. 299, 621 P.2d 516 (S. Ct. 1980)**

**ELOY HORACIO DE SOTO, Petitioner,  
vs.  
STATE OF NEW MEXICO, Respondent.**

No. 13211

SUPREME COURT OF NEW MEXICO

95 N.M. 299, 621 P.2d 516

November 26, 1980

Original Proceeding on Certiorari

**OPINION**

This cause having heretofore been submitted and taken under advisement, and a writ of certiorari having been issued in this matter on August 14, 1980;

NOW, THEREFORE, IT IS CONSIDERED, ORDERED AND ADJUDGED by the Court that the writ of certiorari heretofore issued 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. 4363 be and the same is hereby returned to the Clerk of the Court of Appeals.