

**KMART PROPS. V. TAXATION & REVENUE DEP'T OF N.M., 131 N.M. 564, 40 P.3d
1008 (S. Ct. 2002)**

**KMART PROPERTIES, INC., a Michigan corporation,
Protestant-Petitioner,
vs.
TAXATION AND REVENUE DEPARTMENT OF THE STATE OF NEW MEXICO,
Respondent-Respondent.**

NO. 27,269

SUPREME COURT OF NEW MEXICO

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

January 09, 2002, Decided

OPINION

ORDER

WHEREAS, this matter came on for consideration by the Court upon petition for writ of certiorari, response thereto, and amicus brief, and the Court having considered said pleadings and being sufficiently advised, Chief Justice Patricio M. Serna, Justice Joseph F. Baca, Justice Gene E. Franchini, Justice Pamela B. Minzner, and Justice Petra Jimenez Maes concurring;

NOW, THEREFORE, IT IS ORDERED that the petition hereby is GRANTED and a writ of certiorari shall issue to the New Mexico Court of Appeals; and

IT IS FURTHER ORDERED that a subsequent order shall be entered identifying the issue(s) upon which the petition is granted and setting forth instructions regarding a briefing schedule, if any.

IT IS SO ORDERED.