

**MARALEX RES. V. GILBREATH, 131 N.M. 738, 42 P.3d 843 (S. Ct. 2002)**

**MARALEX RESOURCES, INC., Plaintiff-Counter  
Defendant-Respondent,  
vs.  
NORMAN L. GILBREATH, LORETTA E. GILBREATH and CAPROCK  
ENERGY COMPANY, INC., Defendants-Counter  
Plaintiffs-Petitioners, and NORMAN L.  
GILBREATH, LORETTA E. GILBREATH and  
CAPROCK ENERGY COMPANY, INC., Third  
Party Plaintiffs-Petitioners,  
vs. A.M. "MICKEY"  
O'HARE, Third  
Party  
Defendant-Respondent.**

NO. 27,366

SUPREME COURT OF NEW MEXICO

131 N.M. 738, 42 P.3d 843

March 08, 2002, Decided

**OPINION**

**ORDER**

WHEREAS, this matter came on for consideration by the Court upon petition for writ of certiorari, and the Court having considered said petition 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.