

MARTIN V. STATE, NO. 6995, 1962-NMSC-032, 69 N.M. 498, 368 P.2d 911 (S. Ct. 1962)

**Carl MARTIN, Petitioner,
vs.
The STATE of New Mexico and Harold A. Cox, Warden of the
New Mexico State Prison, Respondents**

No. 6995

SUPREME COURT OF NEW MEXICO

1962-NMSC-032, 69 N.M. 498, 368 P.2d 911

March 01, 1962

JUDGES

Compton, Chief Justice, and Carmody, Chavez and Moise, Justices, concurring; Noble, Justice, not participating.

OPINION

{*498} Original Habeas Corpus Proceeding. ORDERED that the request for free process be and the same is hereby granted, and the petition for writ of habeas corpus is denied for the reason that the petitioner has not exhausted his remedy in the district court.