

**MONTOYA V. STATE, 98 N.M. 590, 651 P.2d 636 (S. Ct. 1982)**

**DAVID MONTOYA, Petitioner,  
vs.  
STATE OF NEW MEXICO, Respondent.**

No. 14473

SUPREME COURT OF NEW MEXICO

98 N.M. 590, 651 P.2d 636

September 24, 1982

Original Proceeding on Certiorari

**OPINION**

This cause having heretofore been submitted and taken under advisement, and a writ of certiorari having been issued by this Court on August 20, 1982;

NOW, THEREFORE, IT IS ORDERED that the writ of certiorari heretofore issued on August 20, 1982 is hereby quashed as having been improvidently issued.

IT IS FURTHER ORDERED that the Record in Cause No. 5569 is hereby returned to the Clerk of the Court of Appeals.