

MOSER V. COX, 1961-NMSC-088, 68 N.M. 487, 362 P.2d 1012 (S. Ct. 1961)

**Ernest MOSER, Petitioner,
vs.
Harold COX, Superintendent, New Mexico State Penitentiary,
Respondent**

No. 6994

SUPREME COURT OF NEW MEXICO

1961-NMSC-088, 68 N.M. 487, 362 P.2d 1012

June 28, 1961

JUDGES

Compton, Chief Justice, and Carmody, Moise, Chavez and Noble, Justices concurring.

OPINION

{*487} 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 the petitioner has not exhausted his remedy in the District Court.