

MURILLO V. WILLIAMS, 128 N.M. 690, 997 P.2d 822 (S. Ct. 2000)

**NELSON MURILLO, Petitioner,
vs.
JOE WILLIAMS, Warden, Respondent.**

NO. 26,140

SUPREME COURT OF NEW MEXICO

128 N.M. 690, 997 P.2d 822

February 29, 2000, Decided

OPINION

ORDER

WHEREAS, this matter came on for consideration upon petition for writ of certiorari, and the Court having considered said petition and being sufficiently advised, issued an order granting the petition and remanding said cause to the district court for an evidentiary hearing;

WHEREAS, on February 11, 2000, respondent filed a motion for rehearing, and, after further consideration of the motion for rehearing and defendant's response thereto, the judgment of the Court is that the order granting the petition and remanding to district court shall be quashed, Chief Justice Pamela B. Minzner, Justice Joseph F. Baca, Justice Gene E. Franchini, Justice Patricio M. Serna, and Justice Petra Jimenez Maes concurring;

NOW, THEREFORE, IT IS ORDERED that the order granting the petition and remanding to district court issued on January 31, 2000, hereby is QUASHED.

IT IS SO ORDERED.

WITNESS, The Hon. Pamela B. Minzner, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 29th day of February, 2000.