

**PECE V. STATE, 1963-NMSC-137, 72 N.M. 360, 384 P.2d 135 (S. Ct. 1963)**

**Cecil Alvin PECE, Petitioner,  
vs.  
The STATE of New Mexico and Harold A. Cox et al.,  
Respondents**

No. 33 HC

SUPREME COURT OF NEW MEXICO

1963-NMSC-137, 72 N.M. 360, 384 P.2d 135

July 30, 1963

**JUDGES**

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

**OPINION**

{\*360} 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 be and the same is hereby denied for the reason that the matter is pending in the District Court.