

SMITH V. PEOPLE, 1961-NMSC-137, 69 N.M. 118, 364 P.2d 597 (S. Ct. 1961)

**Harry D. SMITH, Petitioner,
vs.
People of the State of New Mexico, Respondent**

No. 7040

SUPREME COURT OF NEW MEXICO

1961-NMSC-137, 69 N.M. 118, 364 P.2d 597

September 15, 1961

JUDGES

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

OPINION

{*118} Original Habeas Corpus Proceedings. 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.