

**WEBB V. FIRST JUDICIAL DIST. COURT, 1962-NMSC-038, 70 N.M. 31, 369 P.2d
412 (S. Ct. 1962)**

**Billy Gene WEBB, Petitioner,
vs.
FIRST JUDICIAL DISTRICT COURT, Respondent**

No. 7158

SUPREME COURT OF NEW MEXICO

1962-NMSC-038, 70 N.M. 31, 369 P.2d 412

March 19, 1962

JUDGES

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

OPINION

{*31} Original Mandamus Proceeding.

ORDERED that the motion for free process be and the same is hereby granted; and

FURTHER ORDERED that the petition for writ of mandamus be and the same is hereby denied for the reason that there is no showing of wilful violation on the part of the District Judge in refusing to pass upon the petition for writ of habeas corpus.