

SMITH V. COX, 1962-NMSC-054, 70 N.M. 106, 370 P.2d 822 (S. Ct. 1962)

**Harry D. SMITH, Petitioner,
vs.
Harold A. COX, Warden**

No. 7079

SUPREME COURT OF NEW MEXICO

1962-NMSC-054, 70 N.M. 106, 370 P.2d 822

April 26, 1962

JUDGES

Compton, Chief Justice, and Carmody and Chavez, Justices, concurring; Moise and Noble, Justices, not participating.

OPINION

{*106} 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 facts alleged do not warrant the issuance of writ.