

**STATE V. JOHNSON, 120 N.M. 828, 907 P.2d 1009 (S. Ct. 1995)**

**STATE OF NEW MEXICO, Plaintiff-Petitioner,  
vs.  
RICHARD LEONARD JOHNSON, Defendant-Respondent.**

NO. 23,262

SUPREME COURT OF NEW MEXICO

120 N.M. 828, 907 P.2d 1009

December 07, 1995, Decided

Petition for Writ of Certiorari Granted December 3, 1996.

**OPINION**

**ORDER**

WHEREAS, this matter came on for consideration by the Court upon petition for writ of certiorari, and the Court having considered said petition and being sufficiently advised;

NOW, THEREFORE, IT IS ORDERED that the petition hereby is GRANTED and a writ of certiorari shall issue to New Mexico Court of Appeals on the only issue raised in the petition;

IT IS FURTHER ORDERED that petitioner shall file its brief in chief on or before **January 15, 1996**, with respondent's answer brief due thirty (30) days after the filing of petitioner's brief, and petitioner's reply brief, if any, due ten (10) days after filing of respondent's brief;

IT IS FURTHER ORDERED that the briefs shall consolidate and update the briefs filed in the New Mexico Court of Appeals with respect to the issue identified, without incorporation by reference, and comment on the opinion filed October 4, 1995; and

IT IS FURTHER ORDERED that oral argument shall be heard in this matter after all briefs have been filed.