

STATE V. ASHLEY, 121 N.M. 444, 913 P.2d 251 (S. Ct. 1996)

**STATE OF NEW MEXICO, Plaintiff-Respondent,
vs.
HARVEY ASHLEY, Defendant-Petitioner.**

NO. 23,494

SUPREME COURT OF NEW MEXICO

121 N.M. 444, 913 P.2d 251

March 21, 1996, 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 to the New Mexico Court of Appeals, and the Court having considered said petition and being sufficiently advised;

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

IT IS FURTHER ORDERED that petitioner shall file his brief in chief on or before **April 22, 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 memorandum opinion filed January 9, 1996; and

IT IS FURTHER ORDERED that oral argument, if any, shall be requested pursuant to SCRA 1986, 12-214.