

STATE V. KIRBY, 122 N.M. 1, 919 P.2d 409 (S. Ct. 1996)

**STATE OF NEW MEXICO, Plaintiff-Petitioner,
vs.
WILLIAM LAXTON KIRBY, Defendant-Respondent.**

NO. 23,712

SUPREME COURT OF NEW MEXICO

122 N.M. 1, 919 P.2d 409

July 09, 1996, Decided

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 and a writ of certiorari shall issue to the New Mexico Court of Appeals; and

IT IS FURTHER ORDERED that no briefing or oral argument shall be heard as similar issues have been raised in **State v. Yarborough**, NO. 23,218.