

**STATE V. RODRIGUEZ, 127 N.M. 392, 981 P.2d 1210 (S. Ct. 1999)**

**STATE OF NEW MEXICO, Plaintiff-Respondent,  
vs.  
JOHNNY RODRIGUEZ, Defendant-Petitioner.**

NO. 24,362

SUPREME COURT OF NEW MEXICO

127 N.M. 392, 981 P.2d 1210

July 08, 1999, Decided

**OPINION**

**ORDER**

WHEREAS, this matter came on for consideration upon petition for writ of certiorari, and the Court having considered said petition and being sufficiently advised, issued its writ of certiorari on June 26, 1997, and, after further consideration of the petition and the briefs filed therein, the judgment of the Court is that the writ shall be quashed, Senior Justice Joseph F. Baca, Justice Patricio M. Serna, and Justice Petra Jimenez Maes concurring, Chief Justice Pamela B. Minzner and Justice Gene E. Franchini dissenting;

NOW, THEREFORE, IT IS ORDERED that the writ of certiorari issued on June 26, 1997, hereby is QUASHED.

WITNESS, The Hon. Pamela B. Minzner, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 8th day of July, 1999.