

**STATE V. MCKINSTRY, 130 N.M. 17, 16 P.3d 442 (S. Ct. 2000)**

**STATE OF NEW MEXICO, Plaintiff-Respondent,  
vs.  
BRIAN McKINSTRY, Defendant-Petitioner,**

NO. 26,639

SUPREME COURT OF NEW MEXICO

130 N.M. 17, 16 P.3d 442

November 29, 2000, Decided

**OPINION**

**ORDER**

This matter coming on for consideration by the Court upon petition for writ of certiorari, and the Court having considered said petition, and being sufficiently advised, Chief Justice Pamela B. Minzner, Justice Joseph F. Baca, Justice Gene E. Franchini, Justice Patricio M. Serna, and Justice Petra Jimenez Maes concurring;

NOW, THEREFORE, IT IS ORDERED that the petition for writ of certiorari is **denied** in Court of Appeal number **21565**.