

STATE V. MAYNES, 130 N.M. 213, 22 P.3d 681 (S. Ct. 2001)

**STATE OF NEW MEXICO, Plaintiff-Respondent,
vs.
HERMAN MAYNES, Defendant-Petitioner.**

NO. 26,822

SUPREME COURT OF NEW MEXICO

130 N.M. 213, 22 P.3d 681

April 13, 2001, Decided

OPINION

ORDER

WHEREAS, this matter came on for consideration by the Court upon petition for writ of certiorari filed pursuant to Rule 12-502 NMRA and motion to abate ab initio and suggestion of death, and the Court having considered said pleadings and being sufficiently advised, Chief Justice Patricio M. Serna, Justice Joseph F. Baca, Justice Gene E. Franchini, Justice Pamela B. Minzner, and Justice Petra Jimenez Maes concurring;

NOW, THEREFORE, IT IS ORDERED that the petition for writ of certiorari hereby is DENIED; and

IT IS FURTHER ORDERED that the motion to abate ab initio hereby is GRANTED.

IT IS SO ORDERED.