

STATE V. ERICKSON K., 132 N.M. 732, 55 P.3d 428 (S. Ct. 2002)

**STATE OF NEW MEXICO, Plaintiff-Petitioner,
vs.
ERICKSON K., a child, Defendant-Respondent.**

NO. 27,464

SUPREME COURT OF NEW MEXICO

132 N.M. 732, 55 P.3d 428

October 08, 2002, Decided

OPINION

ORDER

WHEREAS, this matter came on for consideration upon petition for writ of certiorari filed pursuant to Rule 12-502 NMRA, and the Court having considered said petition and being sufficiently advised, issued its writ of certiorari on May 17, 2002; and

WHEREAS, having considered the briefs and oral argument by the parties, the judgment of the Court is that the writ shall be quashed, Justice Gene E. Franchini, Justice Pamela B. Minzner, and Justice Paul J. Kennedy, concurring, Chief Justice Patricio M. Serna and Justice Petra Jimenez Maes dissenting;

NOW, THEREFORE, IT IS ORDERED that the writ of certiorari issued on May 17, 2002, hereby is QUASHED; and

IT IS FURTHER ORDERED that the record proper and taped proceedings shall be returned to the New Mexico Court of Appeals.

IT IS SO ORDERED.