

IN THE SUPREME COURT OF THE STATE OF NEW MEXICO
August 23, 2017

Supreme Court of New Mexico
8/23/2017 1:28:45 PM
Office of the Clerk

[Signature]
Joey D. Moya

NO. S-1-SC-36364

ANTHONY TOWNES,

Petitioner,

v.

STATE OF NEW MEXICO,

Respondent.

ORDER

WHEREAS, this matter came on for consideration by the Court upon petition for writ of certiorari filed under Rule 12-501 NMRA, and the Court having considered the petition and being sufficiently advised, Justice Petra Jimenez Maes, Justice Charles W. Daniels, and Justice Barbara J. Vigil concurring;

NOW, THEREFORE, IT IS ORDERED that the petition for writ of certiorari is DENIED.

IT IS SO ORDERED.



WITNESS, the Honorable Judith K. Nakamura, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 23rd day of August, 2017.

Joey D. Moya, Clerk of Court
Supreme Court of New Mexico

I CERTIFY AND ATTEST:

A true copy was served on all parties
or their counsel of record on date filed.

Madelaine Garcia

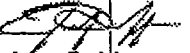
Clerk of the Supreme Court
of the State of New Mexico

By Madelaine Garcia
Chief Deputy Clerk

IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

September 29, 2017

Filed
Supreme Court of New Mexico
9/29/2017 8:47:51 AM
Office of the Clerk


Joey D. Moya

NO. S-1-SC-36364

ANTHONY TOWNES,

Petitioner,

v.

STATE OF NEW MEXICO,

Respondent.

ORDER

WHEREAS, this matter came on for consideration by the Court upon motion for reconsideration, and the Court having considered the foregoing and being sufficiently advised; Justice Petra Jimenez Maes, Justice Charles W. Daniels, and Justice Barbara J. Vigil concurring;

NOW, THEREFORE, IT IS ORDERED that the motion for reconsideration is hereby DENIED.

IT IS SO ORDERED.



WITNESS, the Honorable Judith K. Nakamura, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 29th day of September, 2017.

Joey D. Moya, Clerk of Court
Supreme Court of New Mexico

I CERTIFY AND ATTEST:

A true copy was served on all parties
or their counsel of record on date filed.

Madeline Garcia

Clerk of the Supreme Court
of the State of New Mexico

By Madeline Garcia
Chief Deputy Clerk

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
SECOND JUDICIAL DISTRICT COURT

ANTHONY TOWNES,

Plaintiff,

v.

No. CR 2007-4767

STATE OF NEW MEXICO,

Respondent.

FILED IN MY OFFICE THIS

DEC 29 2016

J. Carl
CLERK DISTRICT COURT

PROCEDURAL ORDER ON PETITION FOR WRIT OF HABEAS CORPUS

THIS MATTER having come before the court on Petitioner's Petition for Writ of Habeas Corpus, received for review on November 28, 2016, pursuant to Rule 5-802 NMRA of the Rules of Criminal Procedure for the District Courts, the court having reviewed the record and being otherwise fully advised in the premises. **FINDS AND ORDERS THAT:**

1. RETURN OF PETITION FOR FURTHER INFORMATION

The petition is returned to petitioner for additional information on the following issues/claims: Ineffective Assistance of Counsel. The Court is unable to determine from the face of the petition whether petitioner is entitled to relief as a matter of law. Petitioner must show that counsel's performance was deficient and the deficient performance prejudiced the defendant. Petitioner's claim of ineffective assistance of counsel currently includes vague allegations of being pressured to take the plea, not understanding stipulations contained in the plea and a complaint that his attorney failed to recuse the trial judge.

Pursuant to Rule 5-802(G) NMRA, a revised petition shall be filed within forty-five (45) days after service of this order.

A Hadfield
ALISA A. HADFIELD
DISTRICT JUDGE

12/29/2016

Copies Sent

To: DA, PD, AG

CNF

12/29/16