  
Joey D. Moya

1                   **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2   **May 11, 2017**

3       **NO. S-1-SC-36422**

4       **STATE OF NEW MEXICO, ex rel.,**  
5       **NEW MEXICO LEGISLATIVE COUNCIL,**

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7                   Petitioner,

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9       v.

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11       **HON. SUSANA MARTINEZ,**  
12       **Governor of the State of New Mexico, and**  
13       **DOROTHY "DUFFY" RODRIGUEZ,**  
14       **Secretary of the New Mexico Department**  
15       **of Finance and Administration,**

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17                   Respondents.

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19   **ORDER**

20                   WHEREAS, on April 24, 2017, this Court issued an order requesting a  
21       response to the petition from Respondents, inviting amicus participation by the  
22       New Mexico Council University Presidents, and setting this matter for oral  
23       argument on May 15, 2017;

24                   WHEREAS, on May 5, 2017, Respondents filed their response to the  
25       petition, and an amicus brief was filed on behalf of the New Mexico Council of  
26       University Presidents;

27                   WHEREAS, on May 5, 2017, Governor Susana Martinez issued a  
28       proclamation calling the Fifty-Third Legislature into Special Session at noon on

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May 24, 2017;

WHEREAS, on May 9, 2017, a motion was filed by individual members of the minority caucuses of the New Mexico Senate and New Mexico House of Representatives for leave to file an amicus brief; and

WHEREAS, in light of the foregoing, and the Court having considered the pleadings filed in this matter and being otherwise sufficiently advised, Chief Justice Charles W. Daniels, Justice Petra Jimenez Maes, Justice Edward L. Chávez, Justice Barbara J. Vigil, and Justice Judith K. Nakamura concurring;

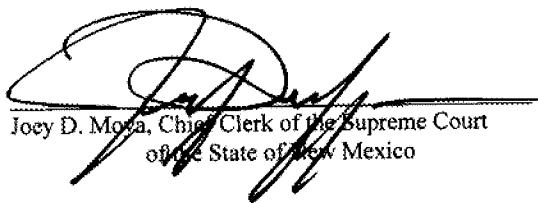
NOW, THEREFORE, IT IS ORDERED that the petition for writ of mandamus is DENIED AS NOT RIPE FOR REVIEW; and

IT IS FURTHER ORDERED that the motion for leave to file an amicus brief is DENIED AS MOOT.

IT IS SO ORDERED.



WITNESS, the Honorable Charles W. Daniels, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 11th day of May, 2017.

  
Joey D. Moza, Chief Clerk of the Supreme Court  
of the State of New Mexico

I CERTIFY AND ATTEST:  
A true copy was served on all parties  
or their counsel of record on date filed.  
Joey D. Moza  
Chief Clerk of the Supreme Court  
of the State of New Mexico