

Per Curiam

470 U. S.

FUGATE *v.* NEW MEXICO

CERTIORARI TO THE SUPREME COURT OF NEW MEXICO

No. 83-6663. Argued February 19, 1985—Decided March 26, 1985

101 N. M. 58, 678 P. 2d 686, affirmed by an equally divided Court.

J. Thomas Sullivan argued the cause for petitioner. With him on the briefs was *Henry R. Quintero*.

Paul Bardacke, Attorney General of New Mexico, argued the cause for respondent. With him on the briefs was *Anthony Tupler*, Assistant Attorney General.

PER CURIAM.

The judgment is affirmed by an equally divided Court.

JUSTICE POWELL took no part in the decision of this case.

ORDERS FROM FEBRUARY 23 THROUGH
MARCH 25, 1938

FEBRUARY 23, 1938

Miscellaneous Order

No. A-641. MATTHEWSON v. PHELPS, SECRETARY, LOUISIANA
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS. Appeal
from the stay of execution of sentence of death scheduled for Mon-
day, February 25, 1938. *Justice White*, and by him
referred to the Court. **REPORTER'S NOTE**

The next page is purposely numbered 1001. The numbers between 904
and 1001 were intentionally omitted, in order to make it possible to publish
the orders with *permanent* page numbers, thus making the official cita-
tions available upon publication of the preliminary prints of the United
States Reports.

Justice Powell took no part in the consideration or decision of this application.

FEBRUARY 25, 1938

Appeals Dismissed

No. 34-1079. BETHUNE PLAZA, INC. v. BOARDMAN, DIRECTOR
OF LABOR OF ILLINOIS. Appeal from App. Ct. Ill., 1st Dist., dis-
missed for want of substantial federal question. Reported below:
124 Ill. App. 3d 101, 464 N. E. 2d 1194.

No. 34-1082. ZIMMERMAN v. ARONSON, ATTORNEY GENERAL
OF NEW YORK, ET AL. Appeal from App. Div., Sup. Ct. N. Y.,
4th Jud. Dept., dismissed for want of jurisdiction. Treating the
papers whereon the appeal was taken as a petition for writ of cer-
tiorari, certiorari denied. Reported below: 101 App. Div. 2d 631,
478 N. Y. S. 2d 82.

Justice Powell took no part in the consideration or decision of the
orders announced on this date.

FUGATE v. NEW MEXICO

CERTIORARI TO THE SUPREME COURT OF NEW MEXICO

No. 92-6583. Argued February 19, 1965.—Decided March 25, 1965.

194 N. M. 75, 575 P. 2d 626, affirmed by an equally divided Court.

J. Thomas Sullivan argued the cause for petitioner. With him on the briefs was *Harvey P. Owsen*.

Paul Bardacke, Attorney General of New Mexico, argued the cause for respondent. With him on the briefs was *Anthony Topler*, Assistant Attorney General.

JUSTICE POWELL took no part in the decision.