



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

2   **March 31, 2023**

3   **NO. S-1-SC-39742**

4   **STATE OF NEW MEXICO,**  
5   **ex rel. RAUL TORREZ,**  
6   **New Mexico Attorney General,**

7           Petitioner,

8   v.

9   **BOARD OF COUNTY**  
10 **COMMISSIONERS FOR LEA**  
11 **COUNTY, BOARD OF COUNTY**  
12 **COMMISSIONERS FOR**  
13 **ROOSEVELT COUNTY,**  
14 **CITY OF CLOVIS, and CITY**  
15 **OF HOBBS,**

16           Respondents.

17   **ORDER**

18           WHEREAS, this matter came on for consideration by the Court upon  
19 emergency petition for writ of mandamus and request for stay and responses  
20 thereto, and the Court having considered the foregoing and being sufficiently  
21 advised, Chief Justice C. Shannon Bacon, Justice Michael E. Vigil, Justice David  
22 K. Thomson, Justice Julie J. Vargas, and Justice Briana H. Zamora concurring;

23           NOW, THEREFORE, IT IS ORDERED that Petitioner's request for stay is  
24 GRANTED;

25           IT IS FURTHER ORDERED that the county and city ordinances at issue in

1 this matter are hereby STAYED and shall have no effect until further order of the  
2 Court;

3 IT IS FURTHER ORDERED that the parties shall file briefs in this cause in  
4 accordance with the requirements of Rule 12-318 NMRA;

5 IT IS FURTHER ORDERED that the brief in chief shall be timely if  
6 filed on or before April 20, 2023, with the answer brief due twenty (20)  
7 days after service of the brief in chief, and the reply brief, if any, due five  
8 (5) days after service of the answer brief;

9 IT IS FURTHER ORDERED that the briefs shall address the following  
10 issue: What effect, if any, does House Bill 7, the Reproductive and Gender-  
11 Affirming Health Care Freedom Act, which was signed into law on March 16,  
12 2023, have on this matter?;

13 IT IS FURTHER ORDERED that oral argument may be requested pursuant to  
14 Rule 12-319(B) NMRA.

15 IT IS SO ORDERED.



WITNESS, the Honorable C. Shannon Bacon, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 31st day of March, 2023.

Elizabeth A. Garcia, 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.  
*Lynette Espinoza Cardenas*  
Chief Deputy Clerk of the Supreme Court  
of the State of New Mexico

By *Lynette Espinoza Cardenas*  
Chief Deputy Clerk of Court