



Joey D. Moya

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

2 **August 26, 2020**

3 **NO. S-1-SC-38396**

4 **MICHELLE LUJAN GRISHAM,**
5 **Governor of New Mexico; and**
6 **KATHYLEEN KUNKEL, Secretary of the**
7 **New Mexico Department of Health,**

8 Petitioners,

9 v.

10 **HON. RAYMOND L. ROMERO,**

11 Respondent,

12 and

13 **OUTLAW MEATS, LLC,**
14 **a New Mexico Limited Liability Company,**
15 **F-2 ENTERPRISES, INC., d/b/a TEXAS CLUB**
16 **GRILL & BAR, a New Mexico Corporation,**
17 **K-BOBS OF RATON, INC., a New Mexico Corporation,**
18 **K-BOBS OF LAS VEGAS, INC., a New Mexico Corporation,**
19 **B.M.B. FINANCIAL, LLC, d/b/a TRINITY HOTEL,**
20 **a New Mexico Limited Liability Company,**
21 **RED RIVER BREWING COMPANY, LLC,**
22 **a New Mexico Limited Liability Company,**
23 **NEW MEXICO RESTAURANT ASSOCIATION,**

24 Real Parties in Interest.

25 **ORDER**

26 WHEREAS, this matter came on for consideration by the Court upon
27 petition for writ of superintending control, responses thereto, and oral argument of
28 the parties on August 26, 2020, and the Court having considered the foregoing and

1 being sufficiently advised; Justice Barbara J. Vigil, Justice Judith K. Nakamura,
2 Justice C. Shannon Bacon, and Justice David K. Thomson concurring;

3 NOW, THEREFORE, IT IS ORDERED that the petition is GRANTED; and

4 IT IS FURTHER ORDERED that a writ of superintending control shall
5 issue directing the district court in cause numbered D-503-CV-2020-00506 to
6 vacate its temporary restraining order filed on July 20, 2020, and dismiss the
7 application for temporary restraining order and preliminary and permanent
8 injunction filed on July 14, 2020;

9 IT IS FURTHER ORDERED that the stay previously issued by this Court
10 shall be lifted to permit the district court's entry of an order vacating the temporary
11 restraining order and dismissing the application in accordance with this Court's
12 writ of superintending control; and

13 IT IS FURTHER ORDERED that this Court shall issue an opinion at a later
14 date to further explain its ruling in this case.

15 IT IS SO ORDERED.



WITNESS, the Honorable Barbara J. Vigil, Acting
Chief Justice of the Supreme Court of the State of
New Mexico, and the seal of said Court this 26th day
of August, 2020.

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