## NO. 29429

STATE OF HAWAI'I, Petitioner-Appellee, TANKON OF THE STATE OF HAWAI'I TO THE S

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 07-1-0202)

## ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI (By: Moon, C.J., for the court<sup>1</sup>)

Petitioner-appellee State of Hawaii's application for writ of certiorari, filed March 15, 2010, is hereby rejected.

DATED: Honolulu, Hawai'i, April 12, 2010.

James M. Anderson, Deputy Prosecuting Attorney, for petitioner-appellee FOR THE COURT:



<sup>&</sup>lt;sup>1</sup> Considered by: Moon, C.J., Nakayama, Acoba, and Duffy, JJ., and Circuit Judge Nishimura, in place of Recktenwald, J., recused.