IN THE SUPREME COURT OF THE STATE OF HAWAI'D STATE OF HAWAI'I, Respondent/Plaintiff-Appellant vs. PAUL SAY, Petitioner/Defendant-Appellee,

and

SHELDON YAMAGUCHI and LELAND FERNANDEZ, Defendants.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 05-1-0187)

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

Petitioner/defendant-appellee Paul Say's application for writ of certiorari, filed February 16, 2010, is hereby rejected.

DATED: Honolulu, Hawai'i, March 25, 2010.

FOR THE COURT:

f Justice

<sup>1</sup> Considered by: Moon, C.J., Nakayama, Acoba, Duffy, and Recktenwald, JJ.