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Supreme Court  
SCWC-29967  
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NO. SCWC-29967

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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STATE OF HAWAI'I, Respondent/Plaintiff-Appellee,

vs.

AIDA GORDON, Petitioner/Defendant-Appellant.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(ICA NO. 29967; CASE NO. 1DTC-08-044528)

DISSENTING OPINION BY DUFFY, J., IN WHICH ACOPA, J., JOINS

Based upon my Dissenting Opinion in the Order Affirming Judgment on Appeal in State v. Winfrey, No. 28737, 2009 Haw. LEXIS 287 at \*5-9 (Haw. Dec. 22, 2009) (Duffy, J., dissenting, with whom Acoba, J., joins), I would accept the Application for Writ of Certiorari filed herein.

DATED: Honolulu, Hawai'i, February 3, 2011.

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

