Electronically Filed Supreme Court SCWC-13-0003064 23-FEB-2016 08:49 AM

## SCWC-13-0003064

## IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

vs.

KENNETH A. MONIZ, Petitioner/Defendant-Appellant.

\_\_\_\_\_

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CAAP-13-0003064; CR. NO. 12-1-0176)

## CONCURRENCE BY WILSON, J.,

I concur. For the reasons stated in the concurring opinion in <a href="State v. Won">State v. Won</a>, 136 Hawai'i 292, 361 P.3d 1195 (2015)

(Wilson, J., concurring), I also find HRS § 291E-68 (Supp. 2010) unconstitutional on its face.

DATED: Honolulu, Hawai'i, February 23, 2016.

/s/ Michael D. Wilson

