Electronically Filed Supreme Court SCWC-13-0003478 15-JAN-2016 08:32 AM

SCWC-13-0003478

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

VS.

DAVID LEE GLADMAN, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CAAP-13-0003478; CASE NO. 1DTA-13-01011)

DISSENT

(By: Nakayama, J., with whom Recktenwald C.J., joins)

I dissent. For the reasons stated in the dissenting opinion in <u>State v. Won</u>, 136 Hawai'i 292, 361 P.3d 1195 (2015) (Nakayama, J., dissenting), I would affirm the judgments of the ICA and the district court.

DATED: Honolulu, Hawai'i, January 15, 2016.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

