

NO. 29239

IN THE SUPREME COURT OF THE STATE OF HAWAII

STATE OF HAWAII, Respondent/Plaintiff-Appellee,

vs.

AFA TUIALII, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 07-1-0471)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI
(By: Moon, C.J., for the court¹; Acoba, J., dissenting,
with whom Duffy, J. joins)

Petitioner/defendant-appellant Afa Tuialii's
application for writ of certiorari, filed November 25, 2009, is
hereby rejected.

DATED: Honolulu, Hawaii, January 11, 2010.

FOR THE COURT:

Chief Justice

¹ Considered by: Moon, C.J., Nakayama, Acoba, Duffy, and
Recktenwald, JJ.