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

<u>Cr. Nos. 06-1-1807 and 07-1-0115</u> STATE OF HAWAI'I, Respondent/Plaintiff-Appellee,

vs.

HENRY PONCE JACINTO CALUCAG, JR., aka Hank Jacinto, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NOS. 06-1-1807 & 07-1-0115))

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

(By: Duffy, J., for the court<sup>1</sup>)

Petitioner/Defendant-Appellant's application for writ of certiorari, filed on June 7, 2010, is hereby rejected.

DATED: Honolulu, Hawai'i, July 19, 2010.

FOR THE COURT:

Associate Justice

James S. Tabe, Deputy Public Defender, for petitioner/defendantappellant on the application

Brian R. Vincent, Deputy Prosecuting Attorney, for respondent/plaintiffappellee on the response

<sup>&</sup>lt;sup>1</sup> Considered by: Nakayama, Acting C.J., Acoba and Duffy, JJ., Circuit Judge Perkins, in place of Moon, C.J., recused, and Circuit Judge Ahn, in place of Recktenwald, J., recused.