

NO. 30635

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

MICHAEL C. TIERNEY, Petitioner-Appellant, v.
STATE OF HAWAII, Respondent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(S.P.P. NO. 10-1-0018 (Cr. No. 08-1-0869))

ORDER DENYING PETITIONER-APPELLANT'S MOTION
FOR RECONSIDERATION EN BANC OF SUMMARY DISPOSITION ORDER
(By: Foley, Presiding J., Fujise and Ginoza, JJ.)

Upon consideration of Petitioner-Appellant Michael C. Tierney's June 30, 2011 Motion for Reconsideration En Banc of the Intermediate Court of Appeals' Summary Disposition Order filed on June 21, 2011 and the records and files in this case,

IT IS HEREBY ORDERED that the motion is denied.

DATED: Honolulu, Hawaii, July 6, 2011.

Presiding Judge

Associate Judge

Associate Judge