STATE OF HAWAI'I, Petitioner/Plaintiff-Appelle

vs.

CHARLES KANANI PAULINO, Respondent/Defendant-Appellant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEAR (CR. NO. 05-1-0065K)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI (By: Recktenwald, J., for the court¹)

Petitioner/Plaintiff-Appellee State of Hawai'i's application for writ of certiorari filed on February 23, 2010, is hereby rejected.

DATED: Honolulu, Hawai'i, March 31, 2010.

FOR THE COURT:

Mon Reclebral

Associate Justice

Jay T. Kimura,
Prosecuting Attorney,
and Linda L. Walton,
Deputy Prosecuting
Attorney, on the
application for
petitioner/plaintiffappellee.

John M. Tonaki,
Public Defender, and
Karen T. Nakasone,
Deputy Public Defender
on the response for
respondent/defendantappellant.

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