NO. 28993

IN THE SUPREME COURT OF THE STATE OF HAWAI'

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STATE OF HAWAI'I, Respondent/Plaintiff-Appellee

vs.

EARNEST LUTHER ROBERTS, also known as "er695," Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 07-1-1245)

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

Petitioner/Defendant-Appellant Earnest Luther Roberts' application for writ of certiorari filed on April 14, 2010, is hereby rejected.

DATED: Honolulu, Hawai'i, May 24, 2010.

FOR THE COURT:

Must. Redition

Associate Justice

Shawn A. Luiz, on the application for petitioner/defendantappellant.

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