NO. 28393

IN THE SUPREME COURT OF THE STAElectronically Filed Intermediate Court of Appeals STATE OF HAWAI'I, Respondent-Plaintiff-Appellee, 29-SEP-2010 vs. 01:02 PM

DONALD ISEKE, Petitioner-Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (FC-CR NO. 06-1-2080)

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

Petitioner-Defendant-Appellant's application for writ

of certiorari filed on August 16, 2010, is hereby rejected.

DATED: Honolulu, Hawai'i, September 29, 2010.

FOR THE COURT:

/s/ Paula A. Nakayama

Associate Justice

Jeffrey A. Hawk of Hawk Sing Ignacio & Waters for petitioner-defendantappellant on the application

¹Considered by: Recktenwald, C.J., Nakayama, Acoba and Duffy, JJ., and Circuit Judge Pollack in place of Moon, C.J., recused and retired.