

Electronically Filed  
Supreme Court  
SCWC-29623  
01-DEC-2011  
01:25 PM

NO. SCWC-29623

IN THE SUPREME COURT OF THE STATE OF HAWAII

---

STATE OF HAWAII, Respondent/Plaintiff-Appellee,

vs.

BEN BALDADO, Petitioner/Defendant-Appellant.

---

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(ICA NO. 29623; CR. NO. 06-1-196K)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI  
(By: Recktenwald, C.J. Nakayama, and Duffy, JJ.  
and Acoba, J., dissenting, with whom McKenna, J., joins)

Petitioner/Defendant-Appellant's application for writ  
of certiorari filed on October 24, 2011, is hereby rejected.

DATED: Honolulu, Hawaii, December 1, 2011.

Vaughan S. Winborne Jr.  
for petitioner/defendant-  
appellant on the  
application

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ James E. Duffy, Jr.

Linda L. Walton, Deputy  
Prosecuting Attorney,  
for respondent/plaintiff  
appellee on the response

