

**Electronically Filed
Supreme Court
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NO. 28583

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

STATE OF HAWAI‘I,
Respondent and Petitioner/Plaintiff-Appellee

vs.

JENARO TORRES,
Petitioner and Respondent/Defendant-Appellant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 05-1-2556)

ORDER GRANTING MOTION FOR RECONSIDERATION IN PART
(By: Acoba, J., for the court¹)

Upon consideration of the motion for reconsideration filed by Respondent and Petitioner/Plaintiff-Appellee State of Hawai‘i on May 2, 2011, requesting that this court review its opinion filed on April 15, 2011, affirming the judgment of the Intermediate Court of Appeals filed on January 7, 2010,

¹ Court: Nakayama, Acting C.J., Acoba, and Duffy, JJ., Circuit Judge Pollack in place of Recktenwald, C.J., recused, and Circuit Judge Border, assigned due to a vacancy.

IT IS HEREBY ORDERED that the motion is granted in part and an amended opinion shall be entered.

DATED: Honolulu, Hawai'i, June 30, 2011.

Deirdre Marie-Iha,
Deputy Solicitor
General, and Susan Y.N.
Won, Deputy Attorney
General, State of Hawai'i,
on the motion for
Respondent and Petitioner/
Plaintiff-Appellee State
of Hawai'i.

/s/ Paula A. Nakayama
/s/ Simeon R. Acoba, Jr.
/s/ James E. Duffy, Jr.
/s/ Richard W. Pollack
/s/ Patrick W. Border

