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Supreme Court
SCWC-10-0000072
21-OCT-2011
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SCWC-10-0000072

IN THE SUPREME COURT OF THE STATE OF HAWAII

STATE OF HAWAII ,
Respondent/Plaintiff-Appellee,

vs.

KEVIN K. NESMITH,
Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(ICA NO. CAAP-10-0000072; CASE NO. 1DTA-10-01055)

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI
(By: Recktenwald, C.J., Nakayama, Acoba, Duffy, and McKenna JJ.)

Petitioner/Defendant-Appellant Kevin Nesmith's
application for writ of certiorari, filed on September 6, 2011,
is hereby accepted.

IT IS FURTHER ORDERED, that no oral argument will be
heard in this case. Any party may, within ten days and pursuant
to Rule 34(c) of the Hawai'i Rules of Appellate Procedure, move
for retention of oral argument.

DATED: Honolulu, Hawai'i, October 21, 2011.

Timothy MacMaster for
petitioner/defendant-
appellant on the
application

/s/ Mark E. Recktenwald
/s/ Paula A. Nakayama
/s/ Simeon R. Acoba, Jr.
/s/ James E. Duffy, Jr.
/s/ Sabrina S. McKenna

