Electronically Filed Supreme Court SCWC-29998 05-JUL-2012 09:09 AM

NO. SCWC-29998

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent/Plaintiff-Appellee,

vs.

KEVIN ANTHONY, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (ICA NO. 29998; CR. NO. 07-1-2349)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI (By: Recktenwald, C.J., Nakayama, Acoba, and McKenna, JJ., and Circuit Judge Border, assigned by reason of vacancy)

Petitioner/Defendant-Appellant's application for writ

of certiorari filed on May 22, 2012, is hereby rejected.

DATED: Honolulu, Hawaiʻi, July 5, 2012.

/s/ Mark E. Recktenwald James S. Tabe, deputy public defender, for petitioner

/s/ Paula A. Nakayama

- /s/ Simeon R. Acoba, Jr.
- /s/ Sabrina S. McKenna



/s/ Patrick W. Border