**Electronically Filed Supreme Court** SCWC-11-0001015 20-SEP-2013 02:01 PM

## SCWC-11-0001015

## IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

VS.

DANIEL JOSEPH JOHNSON, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CAAP-11-0001015; CR. NO. 94-189K)

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

Petitioner/Defendant-Appellant's Application for Writ of Certiorari, filed on August 12, 2013, 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, September 20, 2013.

Reginal P. Minn for petitioner

/s/ Mark E. Recktenwald

Linda L. Walton

/s/ Paula A. Nakayama

for respondent

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

