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

ERWIN E. FAGARAGAN, Petitioner/Petitioner-Appellant,

VS.

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

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (S.P.P. NO. 08-1-0009(1); CR. NO. 05-1-0090)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

(By: Duffy, J., for the court<sup>1</sup>)

Petitioner/Petitioner-Appellant Erwin E. Fagaragan's application for writ of certiorari, filed on December 21, 2009, is hereby rejected.

DATED: Honolulu, Hawai'i, January 20, 2010.

FOR THE COURT:

Kanas E. Dubby, In

Associate Justice

Erwin E. Fagaragan petitioner-appellant pro se on the application





<sup>&</sup>lt;sup>1</sup> Considered by: Moon, C.J., Nakayama, Acoba, and Duffy, JJ., and Circuit Judge Crandall, in place of Recktenwald, J., recused.