Electronically Filed Supreme Court SCWC-29732 27-APR-2011 02:56 PM

NO. SCWC-29732

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

VS.

FRANK SANES, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (ICA NO. 29732; CR. NO. 05-1-2537)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI (By: Recktenwald, C.J., for the court¹)

Petitioner/Defendant-Appellant Frank Sanes' application for writ of certiorari filed on March 16, 2011, is hereby rejected.

DATED: Honolulu, Hawai'i, April 27, 2011.

FOR THE COURT:

/s/ Mark E. Recktenwald

Chief Justice

NEMECO DE LA DELLA DELLA

Walter R. Schoettle for petitioner/defendant-appellant on the application.

 $^{^{\}rm 1}$ Considered by: Recktenwald, C.J., Nakayama, Acoba, Duffy, and McKenna, JJ.