Electronically Filed Supreme Court SCWC-30511 12-APR-2012 09:51 AM

NO. SCWC-30511

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

TAD MASON, Petitioner/Petitioner-Appellant,

vs.

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

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (ICA NO. 30511; S.P.P. NO. 99-06)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI<sup>1</sup> (By: Recktenwald, C.J., Nakayama, Acoba, and McKenna, JJ., and Circuit Judge Wilson, in place of Duffy, J., recused)

The Application for Writ of Certiorari filed on March

<sup>&</sup>lt;sup>1</sup>Petitioner filed an application for writ of certiorari through his court-appointed counsel on March 5, 2012, 90 days after the judgment of the ICA was entered. The same day, Petitioner mailed a letter to this court explaining that his counsel had withdrawn and submitted a second application for writ of certiorari. Petitioner's second application was electronically filed on March 16, 2012. Without deciding the appropriateness of the second filing, this court considered both submissions.

5, 2012 by Petitioner/Petitioner-Appellant Tad Mason is hereby rejected.

DATED: Honolulu, Hawaiʻi, April 12, 2012.

Brian J. De Lima, William Heflin, (Crudele & De Lima) for petitioner/petitionerappellant on the application, filed on March 5, 2012.

Tad Mason, pro se, for petitioner/petitionerappellant on the application, filed on March 15, 2012.

Jack N. Matsukawa, Deputy Prosecuting Attorney, for respondent/respondentappellee on the response. /s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

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