Electronically Filed Supreme Court SCWC-30712 24-APR-2012 09:24 AM

NO. SCWC-30712

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

vs.

HENRY MOISA, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (ICA NO. 30712; CR. NO. 08-1-1000)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI (By: Recktenwald, C.J., Nakayama, Acoba, and McKenna, JJ. and Circuit Judge To'oto'o, in place of Duffy, J., recused)

Petitioner/Defendant-Appellant's application for writ

of certiorari filed on March 13, 2012, is hereby rejected.

Honolulu, Hawaiʻi, April 24, 2012. DATED:

Daphne E. Barbee for petitioner/defendant-appellant on the application

Donn Fudo, Deputy Prosecuting

Attorney, for respondent/ plaintiff-appellee on the

response

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

- /s/ Simeon R. Acoba, Jr.
- /s/ Sabrina S. McKenna
- /s/ Fa'auuga To'oto'o