## NO. SCWC-29558

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

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

VS.

LANCE K. BAILEY, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (ICA NO. 29558; CR. NO. 07-1-0769(2))

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

(By: Recktenwald, C.J., Nakayama, Acoba, and McKenna, JJ., and Circuit Judge Trader, in place of Duffy, J., recused)

The Application for Writ of Certiorari filed on February 16, 2012 by Petitioner/Defendant-Appellant Lance K. Bailey is hereby rejected.

DATED: Honolulu, Hawai'i, March 28, 2012.

Benjamin E. Lowenthal (Law Office of Philip H. Lowenthal) for petitioner/defendant-appellant on the application.

Renee Ishikawa Delizo 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/ Rom A. Trader

