Electronically Filed Supreme Court SCWC-28901 31-MAY-2012 09:24 AM

## NO. SCWC-28901

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

vs.

Robert J. McKnight, Jr., Petitioner/Defendant-Appellant-Cross-Appellee.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (ICA NOS. 28431 & 28901; CR. NO. 06-1-0352(1))

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI (By: Recktenwald, C.J., Nakayama, Acoba, and McKenna, JJ., and Circuit Judge Trader, in place of Duffy, J., recused)

Petitioner/Defendant-Appellant-Cross-Appellee Robert J. McKnight, Jr.'s application for writ of certiorari, filed April 19, 2012, is hereby accepted and will be scheduled for oral argument. The parties will be notified by the appellate clerk regarding scheduling.

DATED: Honolulu, Hawaiʻi, May 31, 2012.

Benjamin E. Lowenthal, for petitioner/defendantappellant-cross-appellee on the application and reply.

Kimberly Tsumoto Guidry, and Marissa H.I. Luning, for respondent/plaintiffappellee-cross-appellant on the response.

- /s/ Mark E. Recktenwald
- /s/ Paula A. Nakayama
- /s/ Simeon R. Acoba, Jr.
- /s/ Sabrina S. McKenna
- /s/ Rom A. Trader

