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Supreme Court
SCWC-30059
10-JAN-2013
09:45 AM

SCWC-30059

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

vs.

CLARENCE STONE, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(ICA NO. 30059; CASE NOS. 2DTA-08-00722;
2DTA-08-01628; 2DTC-08-011610; 2DTC-09-009261)

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI
(By: Recktenwald, C.J., Nakayama, McKenna, and Pollack, JJ.
and Acoba, J., dissenting in part)

Petitioner/Defendant-Appellant's application for writ
of certiorari filed on November 30, 2012, is hereby accepted.

IT IS FURTHER ORDERED, that no oral argument will be
heard in this case. Any party may, within ten days and pursuant
to Rule 34(c) of the Hawai'i Rules of Appellate Procedure, move
for retention of oral argument.

DATED: Honolulu, Hawai'i, January 10, 2013.

Hayden Aluli
for petitioner

/s/ Mark E. Recktenwald

Peter A. Hanano
for respondent

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack



DISSENT IN PART BY ACOBA, J.

I respectfully dissent in part and would set this case for oral argument in view of the burgeoning and continuing question of the jurisdictional effect of defective charges.

/s/ Simeon R. Acoba, Jr.