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SCWC-11-0000048

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

VS.

FAUSTINO TRANSFIGURACION, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CAAP-11-0000048; CR. NO. 09-1-00126K)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

(By: Recktenwald, C.J., Nakayama, and McKenna, JJ., with Acoba, J., dissenting, with whom Pollack, J., joins)

The Application for Writ of Certiorari filed on February 11, 2013 by Petitioner/Defendant-Appellant Faustino Transfiguracion is hereby rejected.

DATED: Honolulu, Hawai'i, March 28, 2013.

Jon K. Ikenaga, for petitioner

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

