Electronically Filed Supreme Court SCWC-30446 06-MAR-2013 08:56 AM

SCWC-30446

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

vs.

MANUEL J. MENENDEZ, JR., Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (ICA No. 30446, 1DTC-09-069033)

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

Petitioner/Defendant-Appellant's Application for Writ of Certiorari filed on January 29, 2013, 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, Hawaiʻi, March 6, 2013.

Earle A. Partington for petitioner

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

- /s/ Simeon R. Acoba, Jr.
- /s/ Sabrina S. McKenna
- /s/ Richard W. Pollack

