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SCWC-12-0000763

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

vs.

LOGAN I. FRANCO,  
Petitioner/Defendant-Appellant.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CAAP-12-0000763; CASE NO. 2DTA-11-00364)

DISSENT

(By: Nakayama, J., with whom Recktenwald, C.J., joins)

I dissent. For the reasons stated in the dissenting opinion in State v. Won, No. SCWC-12-0000858, 2015 WL 10384497 (Haw. Nov. 25, 2015) (Nakayama, J., dissenting), I would affirm the judgments of the ICA and the district court.

DATED: Honolulu, Hawai'i, April 21, 2016.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

