

Electronically Filed
Supreme Court
SCWC-12-0000763
21-APR-2016
10:59 AM

SCWC-12-0000763

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

vs.

LOGAN I. FRANCO,
Petitioner/Defendant-Appellant.

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

