

**Electronically Filed  
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SCWC-23-0000106

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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HOWARD HOFELICH,  
Petitioner/Plaintiff-Appellant,

and

SOUTH PACIFIC SCUBA TOURS, INC.,  
a Hawai‘i corporation since 1993,  
Intervenor-Appellant,

vs.

STATE OF HAWAI‘I, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
and DEPARTMENT OF LAND AND NATURAL RESOURCES;  
DENNIS A. KRUEGER, ESQ.; ASHFORD & WRISTON, LLP;  
DAVID B.M. KAAPU, ESQ.; STEPHEN D. WHITTAKER, ESQ.;  
CARL VINCENTI; JUNG & VASSAR, P.C., A LAW CORPORATION;  
RONALD IBARRA; UNITED STATES COAST GUARD VESSEL DOCUMENTATION  
CENTER (USCGVDC); and DAVID H. LAWTON, ESQ.,  
Respondents/Defendants-Appellees.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CAAP-23-0000106; CIVIL NO. 3CCV-21-0000297)

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI

(By: Recktenwald, C.J., McKenna and Eddins, JJ.,  
and Judge Kawano and Judge Hamman,  
assigned by reason of vacancies)

The application for writ of certiorari, filed on June 15, 2023, by petitioner/plaintiff-appellant Howard Hofelich is hereby dismissed.

Dated: Honolulu, Hawai'i, July 10, 2023.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Kelsey T. Kawano

/s/ Kirstin M. Hamman

