

**Electronically Filed
Supreme Court
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SCWC-23-0000359

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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

vs.

ASHLEY VINCENT GAETA,
Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-23-0000359; CASE NO. 3CPC-22-0000237)

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI
(By: McKenna, Acting C.J., Eddins, Ginoza, and Devens JJ.,
and Circuit Judge Holma, assigned by reason of vacancy)

The application for writ of certiorari filed on November 18, 2025, by Petitioner/Defendant-Appellant Ashley Vincent Gaeta, is hereby accepted and will be scheduled for oral argument. The parties will be notified by the appellate clerk regarding scheduling.

IT IS FURTHER ORDERED that the parties shall submit supplemental briefing on the following:

1. Can plea agreements that allow consideration of facts and circumstances of dismissed charges override judicial precedent that prohibits consideration of dismissed charges?

2. Can courts consider a defendant's lack of remorse when a defendant pleads no contest?

Within twenty days from the date of this order, each party shall file a supplemental brief, not exceeding twenty pages in length, exclusive of title page(s), indices, appendices, and certificate of service. No responses shall be filed.

DATED: Honolulu, Hawai'i, December 31, 2025.

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Vladimir P. Devens

/s/ Karin L. Holma

