

NO. 22099

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent-Appellee,

vs.

JOHN E. SINAGOGA, Petitioner-Appellant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 93-0421)

ORDER GRANTING APPLICATION FOR WRIT OF CERTIORARI

(By: Moon, C.J., for the court¹)

Petitioner-appellant John E. Sinagoga's application for writ of certiorari, filed September 22, 2000, is hereby granted.

Each party shall file a supplemental brief with respect to the issues raised in the application for certiorari, including but not limited to the following:

Whether disallowing Sinagoga to deduct the total time served post-arrest from the period of probation imposed at resentencing, after his successful appeal, conflicts with: (1) the authorized dispositions of convicted defendants set forth in Hawai'i Revised Statutes, chapter 706, parts I, II, and IV (1993); and (2) the

¹ Considered by Moon, C.J., Levinson, Nakayama, Ramil, and Circuit Judge Ahn, in place of Acoba, J., recused.

double jeopardy clauses of the fifth amendment to
the United States Constitution and article I,
section 10 of the Hawai'i Constitution.

The supplemental briefs shall contain no more than 15 pages
and shall be filed no later than 30 days after the date of this
order.

DATED: Honolulu, Hawai'i, September 28, 2000.

FOR THE COURT:

Chief Justice