

NO. 22454

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

---

STATE OF HAWAI'I, Respondent-Appellee

vs.

VIRGIL LEE PORTER, Petitioner-Appellant

---

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(NO. 22454 (CR. NO. 92-332) and NO. 22455 (CR. NO. 92-352))

ORDER DISMISSING CERTIORARI PROCEEDING

(By Moon, C.J., Levinson, and Nakayama, JJ.,  
Circuit Judge Chan, in place of Acoba, J., unavailable  
and Circuit Judge Perkins assigned by reason of vacancy)

Upon further consideration of the records and files in  
this case, it appearing that the writ of certiorari herein was  
improvidently granted,

IT IS HEREBY ORDERED that this certiorari proceeding is  
dismissed.

DATED: Honolulu, Hawai'i, May 30, 2003.