

NO. 22949

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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ADA E. KUSHI, Plaintiff-Appellee-Respondent

vs.

AL M. KUSHI, Defendant-Appellant-Petitioner

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(FC-D NO. 95-289)

ORDER DISMISSING CERTIORARI PROCEEDING

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

On June 12, 2001, we granted the petition for a writ of certiorari filed on June 8, 2001 by the defendant-appellant-petitioner Al M. Kushi. Upon further consideration of the petition and careful review of the record and briefs submitted by the parties on direct appeal, and having given due consideration to the arguments advanced and the issues raised by the petition, we dismiss the writ of certiorari as improvidently granted.

DATED: Honolulu, Hawai'i, July 26, 2001.

Berton T. Kato, for  
defendant-appellant-  
petitioner, on the writ