

NO. 23271

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I Respondent/Plaintiff-Appellee

vs.

CHARLES WAGNER-SMITH, III,
aka Charles Smith, III, Petitioner/Defendant-Appellant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 99-0422)

ORDER

(By: Acoba, J., for the court¹)

Upon consideration of Petitioner/Defendant-Appellant Charles Wagner Smith, III's January 3, 2003 motion for reconsideration of our dismissal of the certiorari proceedings filed on December 24, 2002, it appears that there is no reconsideration of a denial of a writ of certiorari. See HRAP 40.1(h). Therefore,

IT IS HEREBY ORDERED that Petitioner's motion is dismissed.

DATED: Honolulu, Hawai'i, January 13, 2003.

Joseph R. Mottl III, on the
motion for petitioner/
defendant-appellant.

FOR THE COURT:

Associate Justice

¹ Considered by Moon, C.J., Levinson, Nakayama, and Acoba, JJ., and First Circuit Court Judge Marcia Waldorf assigned by reason of vacancy.)