

NO. 23759

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee,

vs.

KENNETH BATONGBACAL, Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 99-2062)

ORDER DISMISSING CERTIORARI PROCEEDING

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

Upon further consideration of the records and files in this case and 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, August 8, 2002.

Joyce K. Matsumori-Hoshijo,
Deputy Public Defender,
on the writ