

NO. 24081

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Petitioner-Appellee,

vs.

SCOTT FERGUSON, Respondent-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 00-1-0076(2))

ORDER DISMISSING CERTIORARI PROCEEDINGS

(By: Moon, C.J., Levinson, and Acoba, JJ., and
Circuit Judge Blondin, assigned by reason of vacancy)

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, October 2, 2003.

Arleen Y. Watanabe,
Deputy Prosecuting Attorney,
for petitioner-appellee,
on the writ

James S. Tabe,
Deputy Public Defender,
for respondent-appellee,
attorney of record