

NO. 24848

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee,

vs.

GEORGE LACY MOORE, III, Defendant-Appellant.

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(CITATION NOS. 1451610MH and 1451611MH)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that Defendant-Appellant George Lacy Moore, III, sought review of the December 28, 2001 memorandum opinion of the intermediate court of appeals in case no. 23638 through a "Notice of Appeal" filed on January 15, 2002. The January 15, 2002 "Notice of Appeal" was an improper application for a writ of certiorari that was not accepted within ten days of January 15, 2002, and, thus, was deemed rejected. See HRS § 602-59(c) (Supp. 2001) and Rule 40.1(g) of the Hawai'i Rules of Appellate Procedure. Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed.

DATED: Honolulu, Hawai'i, April 29, 2002.