

NO. 27844

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

FRANK O. LOHER, Petitioner-Appellant,

v.

STATE OF HAWAI'I, Respondent-Appellee.

EMERSON  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

2008 AUG 27 AM 10:20

FILED

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(SPP NO. 05-1-0067; CR. NO. 99-1621)

ORDER

(By: Leonard, J.)

Upon consideration of Petitioner-Appellant Frank O. Loher's August 4, 2008 Motion for the Appointment of Counsel and Petitioner's Objection to Affirming in Part, the papers in support, and the records and files herein, (a) Appellant requests the following:

(1) grant him counsel to represent him in this matter; (2) grant him a remedial release due [to] the lower court's violation of forcing Loher to testify; (3) based upon the Double Jeopardy Clause, release Loher because he cannot be tried twice for the same offense; (4) grant him a retrial for violating his U.S. Constitutional Rights; and (5) any favorable action which does not violate his U.S. Constitutional Rights."

(b) in the opinion issued on July 14, 2008, this court remanded the case to the circuit court for appointment of counsel and a hearing; and (c) Appellant fails to show he is entitled to any further relief at this time. Therefore,

IT IS HEREBY ORDERED that the motion is denied.

DATED: Honolulu, Hawai'i, August 27, 2008.

Associate Judge

