## NO. 29427

## IN THE INTERMEDIATE COURT OF APPEALS

## OF THE STATE OF HAWAI'I

GREGORY BARNETT, Petitioner-Appellant, v. STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT (SPP NO. 08-1-0004(3))

(By: Nakamura, Chief Judge, for the court $\frac{1}{1}$ )

IT IS HEREBY ORDERED that the Summary Disposition Order filed on November 25, 2009, in the above-referenced matter is vacated.

DATED: Honolulu, Hawaiʻi, November 30, 2009.

Chief Judge

 $<sup>^{\</sup>underline{1}/}$  Nakamura, Chief Judge, Watanabe, and Leonard, JJ.