

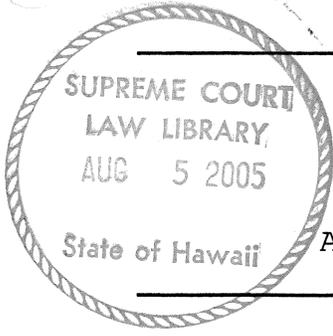
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EUGENE L. SABA
CLERK OF APPEALS
STATE OF HAWAII

NO. 23760

IN THE SUPREME COURT OF THE STATE OF HAWAII



KARL LIFTEE, Respondent/Plaintiff-Appellee,

vs.

ALEXENE BOYER, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CIV. NO. 98-3809)

ORDER DISMISSING CERTIORARI PROCEEDING

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

Upon further consideration of the application for writ of certiorari, supplemental briefs, and the records and files in this case, it appears that the writ of certiorari was improvidently granted. Therefore,

IT IS HEREBY ORDERED that this certiorari proceeding is dismissed.

DATED: Honolulu, Hawai'i, August 4, 2005.

Randall Y. Yamamoto,
Gregory Y.P. Tom, and
Kristine Tsukiyama, for
petitioner/defendant-
appellant

Andrew S. Winer and
Vladimir Devens for
respondent/plaintiff-
appellee