

NO. 25648

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ALAN E. K. KEKAHUNA, Petitioner-Appellant

vs.

STATE OF HAWAI'I, Respondent-Appellee.

NORMA T. YARA  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

2005 JUL 25 PM 1:35

FILED

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CR. NO. 01-1-1247)

ORDER DENYING APPLICATION FOR WRIT OF CERTIORARI

(By: Moon, C.J., for the majority;<sup>1</sup>  
Dissent by Acoba, J., in which Duffy, J., joins)

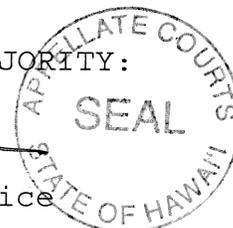
Petitioner-appellant Alan E. K. Kekahuna's application for writ of certiorari, filed July 15, 2005, is denied.

DATED: Honolulu, Hawai'i, July 25, 2005.

Glenn D. Choy, for  
petitioner-appellant,  
on the writ

FOR THE MAJORITY:

*Glenn D. Choy*  
Chief Justice



DISSENT BY ACOBA, J., IN WHICH DUFFY, J., JOINS

I respectfully dissent from the denial of certiorari. Based on my dissent in State v. Rivera, 106 Hawai'i 146, 102 P.3d 1044 (2004), I would grant certiorari and vacate the circuit court's sentence.

*James E. Duffy, Jr.*  
James E. Duffy, Jr.

<sup>1</sup> Considered by: Moon, C.J., Levinson and Nakayama, JJ.; Dissent by Acoba, J., in which Duffy, J., joins.