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STATE OF HAWAI'I, Respondent/Plaintiff-Appellee

vs.

EUGENE JAMES HUTCH, Petitioner/Defendant-Appellant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (S.P.P. NO. 02-1-0074)

ORDER GRANTING APPLICATION FOR WRIT OF CERTIORARI (By: Acoba, J. for the court1)

Upon consideration of the application for a writ of certiorari filed on May 23, 2005 by Petitioner/Defendant-Appellant Eugene James Hutch, the same is hereby granted.

DATED: Honolulu, Hawai'i, June 2, 2005.

FOR THE COURT:

Associate Justice

Eugene James Hutch, petitioner/defendant-appellant, pro se, on the writ.

The Court: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.