## IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent/Plaintiff-Appellant

vs.

KEVIN RAY RAMIREZ, Petitioner/Defendant-Appellee

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 03-1-228K)

## ORDER DENYING APPLICATION FOR WRIT OF CERTIORARI (By: Duffy, J. for the court<sup>1</sup>)

Petitioner/Defendant-Appellee's application for writ of certiorari filed on May 16, 2005, is hereby denied.

DATED: Honolulu, Hawai'i, May 26, 2005.

FOR THE COURT:

Kanas E. Dudly &.

Associate Justice

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Victor M. Cox for petitioner/defendantappellee on the writ

NORMA T. YARA

<sup>&</sup>lt;sup>1</sup> Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.