IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent/Plaintiff-Appellee

vs.

DENNIS MACHADO, Petitioner/Defendant-Appellant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 01-1-0566)

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 November 2, 2005 by Petitioner/Defendant-Appellant Dennis Machado, the same is hereby granted.

DATED: Honolulu, Hawai'i, November 9, 2005.

FOR THE COURT:

Associate Justice

Josette Anne Wallace (Warner & Wallace), for petitioner/defendantappellant, on the writ.

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NORMA T. YARA

NORMA T. YARA

OF FOR APPENDATE COURTS

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