NO. 26171

## IN THE SUPREME COURT OF THE STATE OF HAWAI

STATE OF HAWAI'I, Respondent/Plaintiff-Appellee

vs.

ANIBAL ORTIZ, Petitioner/Defendant-Appellant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 03-1-0036)

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

The Application for Writ of Certiorari filed on January 4, 2006 by Petitioner/Defendant-Appellant Anibal Ortiz is hereby denied.

DATED: Honolulu, Hawaiʻi, January 17, 2006.

FOR THE COURT:

Associate Justice

Shawn A. Luiz, on the writ.

 $<sup>^{\</sup>rm 1}$  Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.