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

KIRSTEN KIRA JONES, fka KIRSTEN J. MAERLYN, Plaintiff-Appellee-Respondent,

vs.

MICHAEL MARLIN, Defendant-Appellant-Petitioner.

CLERK, APPELLATE COURS

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CIV. NO. 3RC04-1-0230)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

(By: Levinson, J., for the court<sup>1</sup>)

Upon consideration of the application for a writ of certiorari filed on November 2, 2006 by the defendant-appellant-petitioner Michael Marlin, the application is hereby rejected.

DATED: Honolulu, Hawai'i, November 20, 2006.

FOR THE COURT:

STEVEN H. LEVIN

Matthew K. Chung for the defendant-appellantpetitioner, Michael Marlin, on the application:

Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.