STATE OF HAWAI'I, Petitioner/Plaintiff-Appellee

LOUIS KRUSE AGARD IV, Respondent/Defendant-Appellant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (HPD TRAFFIC NO. 5775863MO)

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI

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

Petitioner-Plaintiff/Appellee State of Hawaii's application for writ of certiorari filed on December 12, 2006, is accepted.

DATED: Honolulu, Hawai'i, January 8, 2007.

FOR THE COURT:

SIMEON R. ACOBA, JR. Associate Justice

CLERK, APPELLATE COURTS

<sup>8</sup> PM 12: 1

<sup>1</sup> Court: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.