

NO. 28085

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent/Plaintiff-Appellant,

vs.

DAVID MERKEL, Petitioner/Defendant-Appellee.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(HPD NO.: 04513492 (1P104-17741))

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI  
(By: Moon, C.J., for the court<sup>1</sup>)

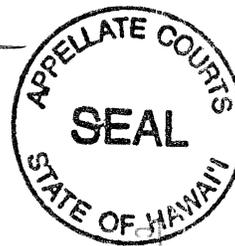
Petitioner/defendant-appellee David Merkel's application for writ of certiorari, filed February 4, 2008, is hereby rejected.

DATED: Honolulu, Hawai'i, February 25, 2008

Taryn R. Tomasa,  
Deputy Public Defender,  
for petitioner/defendant-  
appellee, on the  
application

FOR THE COURT:

*[Signature]*  
Chief Justice



NORMA T. YARA  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

2008 FEB 25 AM 9:53

FILED

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