

NO. 28203

IN THE SUPREME COURT OF THE STATE OF HAWAII

STATE OF HAWAII, Respondent/Plaintiff-Appellee

vs.

WALTER LEE CUTSINGER, Petitioner/Defendant-Appellant

E.M. DIMANDO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2008 JUN 18 PM 1:22

FILED

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 05-1-1409)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

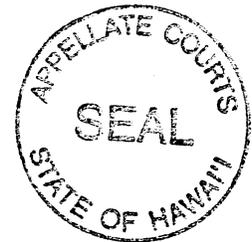
(By: Duffy, J., for the court¹
and Acoba, J., dissenting)

Petitioner/Defendant-Appellant Walter Lee Cutsinger's application for a writ of certiorari, filed on May 23, 2008, is hereby rejected.

DATED: Honolulu, Hawaii, June 18, 2008.

FOR THE COURT:

James E. Duffy, Jr.
Associate Justice



Glenn D. Choy,
for petitioner/defendant-
appellant on the application

Kimberly Tsumoto Guidry
and Girard D. Lau,
Deputy Solicitors General,
for respondent/plaintiff-
appellee on the response

¹ Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.