

NO. 28766

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I,
Respondent/Plaintiff-Appellee

vs.

ALISON NOBORU MATSUDA,
Petitioner/Defendant-Appellant

E.M. RIMANDO
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

2008 MAY 30 AM 9:33

FILED

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CR. NO. 06-1-123)

ORDER DISMISSING APPLICATION FOR TRANSFER
(By: Moon, C.J. for the court¹)

Upon consideration of the application for transfer filed by petitioner/defendant-appellant Alison Noboru Matsuda on May 5, 2008, the papers in support and the record, it appears that the application for transfer was filed by petitioner *pro se*, but that petitioner is represented by appointed appellate counsel. Petitioner has not obtained appointed counsel's discharge pursuant to HRAP 50(c) or withdrawal from the appellate court or the circuit court pursuant to HRAP 50(b), and petitioner does not have a constitutional right to hybrid representation. State v. Hirano, 8 Haw. App. 330, 333-36, 802 P.2d 482, 484-85, *cert. denied*, 71 Haw. 668, 833 P.2d 901 (1990). Therefore,

IT IS HEREBY ORDERED that the application for transfer is dismissed without prejudice to an application for transfer

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

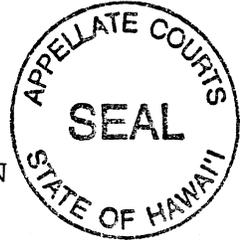
filed by appointed counsel of record or by petitioner *pro se* upon appointed counsel's discharge or withdrawal effected by the appellate court or the circuit court.

DATED: Honolulu, Hawai'i, May 30, 2008.

FOR THE COURT:



RONALD T.Y. MOON
Chief Justice



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Transfer