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IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

STATE OF HAWAI'I, Petitioner-Appellee,

vs.

ANGELA STENGER, Respondent-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 04-1-1460)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI
(By: Nakayama, J., for the court[1],
Acoba, J., dissenting,
and Circuit Judge Kim, dissenting separately)

Petitioner-Appellee's application for writ of certiorari filed on March 9, 2009, is hereby rejected.

DATED: Honolulu, Hawai'i, April 23, 2009.

FOR THE COURT:

Associate Justice

APPELLATE COURTS SEAL STATE OF HAWAII

DISSENT BY ACOBA, J.

I respectfully dissent from the denial of certiorari in this case.

Lawrence A. Goya,
Senior Deputy Attorney General,
for petitioner-appellee
State of Hawai'

[1]Considered by: Moon, C.J., Nakayama, Acoba, and Duffy, JJ., and Circuit Judge Kim, assigned by reason of vacancy.