NO. 28937

IN THE SUPREME COURT OF THE STATE OF HAWAI

STATE OF HAWAI'I, Respondent/Plaintiff-Appelle

VS.

BARRY J. COLES, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 07-1-0774)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

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

Petitioner/defendant-appellant Barry J. Coles's application for writ of certiorari, filed August 20, 2009, is hereby rejected.

DATED: Honolulu, Hawai'i, September 18, 2009.

Linda C. R. Jameson, for petitioner/defendantappellant, on the application

JJ.

FOR THE COURT:

chief Justice

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