

NO. 28974

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

vs.

EMILIO GANIRON, JR., Petitioner/Defendant-Appellant.

NORRIS T. YARRA
CLERK, APPELLATE COURTS
STATE OF HAWAII

2009 MAR 30 PM 3:22

FILED

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 07-1-1280)

ORDER STRIKING PETITIONER/DEFENDANT-APPELLANT
EMILIO A. GANIRON, JR.'S SECOND APPLICATION FOR
WRIT OF CERTIORARI, FILED MARCH 30, 2009
(By: Moon, C.J., for the court¹)

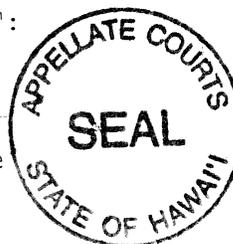
It appearing that petitioner/defendant-appellant Emilio A. Ganiron, Jr. filed an application for writ of certiorari on March 27, 2009 and a second, seemingly identical application for writ of certiorari on March 30, 2009,

IT IS HEREBY ORDERED that the second application (filed March 30, 2009) is stricken as (1) unnecessary and (2) untimely inasmuch as March 30, 2009 is the ninety-first day measured from the December 29, 2008 judgment on appeal, see Hawai'i Revised Statutes § 602-59(c) (Supp. 2007).

DATED: Honolulu, Hawai'i, March 30, 2009.

FOR THE COURT:

[Signature]
Chief Justice



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