## IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Petitioner-Appellee,

VS.

MICHAEL TOLENTINO, Respondent-Appellant. (CR. NO. 02-1-2816)

\_\_\_\_\_

STATE OF HAWAI'I, Plaintiff,

VS.

FLORDELINO DELOS SANTOS, Defendant. (CR. NO. 02-1-2817)

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI (By: Nakayama, J., for the court1)

Petitioner-Appellee's application for writ of certiorari filed on January 4, 2010, is hereby rejected.

DATED: Honolulu, Hawai'i, February 18, 2010.

FOR THE COURT:

Associate Justice

Delanie D. Prescott-Tate, Deputy Prosecuting Attorney, for petitioner-appellee State of Hawai'i on the application

 $<sup>^{\</sup>mbox{\tiny 1}}\mbox{Considered}$  by: Moon, C.J., Nakayama, Acoba, Duffy, and Recktenwald, JJ.