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

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

VS.

SYDNEY NOBUTO TOKUNAGA, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 06-1-2216)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

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

Petitioner/Defendant-Appellant Sydney Nobuto Tokunaga's application for writ of certiorari, filed on December 8, 2009, is hereby rejected.

DATED: Honolulu, Hawai'i, January 14, 2010.

FOR THE COURT:

Associate Justice

Walter J. Rodby for petitioner/defendantappellant on the application

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