## 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. 06-1-2254)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI (By: Acoba, J., for the court<sup>1</sup>)

The Application for Writ of Certiorari filed on December 17, 2009 by Petitioner/Defendant-Appellant Sydney Nobuto Tokunaga is hereby rejected.

DATED: Honolulu, Hawai'i, January 20, 2010.

FOR THE COURT:

Associate Justice

Walter J. Rodby, on the application for petitioner/defendant-appellant.

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