

NO. 23531

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

CONRAD DANIEL WAGGENER, Respondent-Plaintiff-Appellant,

vs.

BEVERLY JO WAGGENER, Petitioner-Defendant-Appellee.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(FC-D NO. 94-1704)

ORDER DISMISSING CERTIORARI PROCEEDING

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

Upon further consideration of the records and files in this case and it appearing that the writ of certiorari herein was improvidently granted,

IT IS HEREBY ORDERED that this certiorari proceeding is dismissed.

DATED: Honolulu, Hawai'i, September 24, 2002.

Peter Van Name Esser
and Craig H. Yim, for
petitioner-defendant-
appellee, on the writ