NO. 25573

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

BETH ANN MINER, Defendant-Appellant-Petitioner,

vs.

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

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CASE NOS.: B36:12/5/02)

ORDER DENYING APPLICATION FOR WRIT OF CERTIORARI (By: Levinson, J., for the court¹) Upon consideration of the application for a writ of certiorari filed on January 31, 2005, by the defendant-appellantpetitioner Beth Ann Miner, the same is hereby denied. DATED: Honolulu, Hawai'i, February 8, 2005.

FOR THE COURT:

STEVEN H. LEVINSON Associate Justice

Hayden Aluli, for defendantappellant-petitioner Beth Ann Miner, on the application

¹ Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.