

NO. 28849

IN THE SUPREME COURT OF THE STATE OF HAWAII

STATE OF HAWAI'I, Respondent/Plaintiff-Appellee

vs.

DOUGLAS MILLER, Petitioner/Defendant-Appellant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(FC-CR NO. 07-1-0309)


ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI

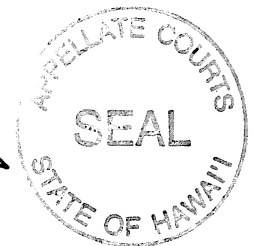
(By: Acoba, J., for the court; and
Nakayama, J., dissenting, with whom Hirai, J., joins¹)

Petitioner/Defendant-Appellant Douglas Miller's application for writ of certiorari, filed on December 24, 2008, is accepted and will be scheduled for oral argument. The parties will be notified by the appellate clerk regarding scheduling.

DATED: Honolulu, Hawai'i, February 9, 2009.

FOR THE COURT:


SIMEON R. ACOBA, JR.
Associate Justice



Hayden Aluli, on the application, for petitioner/defendant-appellant.

¹ Considered by: Moon, C.J., Nakayama, Acoba, and Duffy, JJ., and Circuit Judge Hirai, assigned by reason of vacancy.

K. HAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAII

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FILED