IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee-Respondent

VS.

DENNIS K. FERM, Defendant-Appellant-Petitioner

DISTRICT COURT OF THE FIRST CIRCUIT (NO. 98-075263)

AMENDED ORDER DENYING APPLICATION FOR WRIT OF CERTIORARI (By: Moon, C.J., for the court1)

Upon consideration of the application for a writ of certiorari filed August 31, 2000 by the defendant-appellant-petitioner Dennis K. Ferm, the same is hereby denied.

DATED: Honolulu, Hawai'i, September 13, 2000.

FOR THE COURT:

Steven T. Barta for the defendant-appellant-petitioner on the writ

RONALD T.Y. MOON Chief Justice

Considered by: Moon, C.J., Levinson, Nakayama, and Ramil, JJ., and Circuit Judge McKenna, in place of Acoba, J., recused.