IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

vs.

SIPU LAUPO KIVAHA, Defendant-Appellant-Petitioner.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (TRAFFIC NO. 4733037MO)

ORDER DENYING APPLICATION FOR WRIT OF CERTIORARI (By: Levinson, for the court¹)

Upon consideration of the application for a writ of certiorari filed on February 22, 2001 by the defendant-appellant-petitioner Sipu Laupo Kivaha, the same is hereby denied.

DATED: Honolulu, Hawai'i, March 2, 2001.

FOR THE COURT:

STEVEN H. LEVINSON Associate Justice

Cindy A. L. Goodness,

Deputy Public Defender,

for defendant-appellantpetitioner on the writ

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