IN THE SUPREME COURT OF THE STATE OF HAWAI'I

NANCY ANN HAYES, Respondent-Plaintiff-Appellee,

VS.

EDWARD E. HAYES, Petitioner-Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (FC-D NO. 96-3595)

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

Petitioner-defendant-appellant Edward E. Hayes's application for writ of certiorari, filed August 22, 2001, is hereby denied.

DATED: Honolulu, Hawai'i, September 4, 2001.

Richard Lee and Paul
D. Hicks, for petitionerdefendant-appellant, on
the writ

Chief Justice

FOR THE COURT:

 $^{^{\}mbox{\tiny 1}}$ Considered by: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.