IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent-Appellee,

VS.

EARL LAWSON, Petitioner-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 01-1-0812)

ORDER DISMISSING CERTIORARI PROCEEDINGS

(By: Moon, C.J., Levinson, Nakayama, and Acoba, JJ.; Circuit Judge Raffetto, assigned by reason of vacancy)

Upon further consideration of the records and files in this case, it appears that the writ of certiorari herein was improvidently granted; therefore,

IT IS HEREBY ORDERED that this certiorari proceeding is dismissed.

DATED: Honolulu, Hawai'i, November 17, 2003.

Jon N. Ikenaga, Deputy Public Defender, for petitioner-appellant on the writ