## NO. 24705

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

vs.

CHAD D. WILDERMAN, Defendant-Appellant-Petitioner. CR. NO. 01-1-0422

STATE OF HAWAI'I, Plaintiff,

\_\_\_\_

vs.

VINCENT SCANLAN, Defendant. CR. NO. 01-1-0558

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NOS. 01-1-0422 AND 01-1-0558)

ORDER DISMISSING CERTIORARI PROCEEDING (By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon further consideration of the records and files in this case and it appearing that the writ of certiorari was improvidently granted,

IT IS HEREBY ORDERED that this certiorari proceeding is dismissed.

DATED: Honolulu, Hawai'i, January 8, 2004.

Keith M. Kiuchi for defendant-appellantpetitioner on the writ