IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ROWLAND P. IGNACIO, Petitioner-Appellee

VS.

STATE OF HAWAI'I, Respondent-Appellant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (REPORT NO. G-45767)

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

Petitioner-Appellee's application for writ of certiorari filed on January 14, 2004, is hereby denied.

DATED: Honolulu, Hawai'i, January 26, 2004.

FOR THE COURT:

Associate Justice

Christopher J. Roehrig for petitioner-appellee on the writ

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