## NO. 24715

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent/Plaintiff-Appellee

vs.

JESSIE PEAPEALALO, Petitioner/Defendant-Appellant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 01-1-1323)

ORDER DENYING APPLICATION FOR WRIT OF CERTIORARI (By: Acoba, J., for the court<sup>1</sup>)

The Application for Writ of Certiorari filed on September 22, 2004 by Petitioner/Defendant-Appellant Jessie Peapealalo is hereby denied.

DATED: Honolulu, Hawaiʻi, October 1, 2004.

FOR THE COURT:

Associate Justice

Michael G.M. Ostendorp and Shawn A. Luiz (Law Office of Michael G.M. Ostendorp), on the writ.

<sup>&</sup>lt;sup>1</sup> Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.