

NO. 25904

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent/Plaintiff-Appellee

vs.

DEBORAH K. MAINAAUPO, aka Debra K. Kanakaole,
Petitioner/Defendant-Appellant

CLERK OF APPELLATE COURTS
STATE OF HAWAII
E. HANAMAULUOHI

2005 JUL 15 PM 2:23

FILED

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 00-1-1520)

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

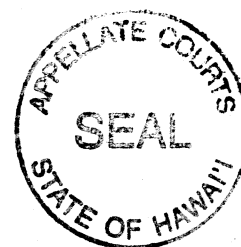
The Application for Writ of Certiorari filed on July 5, 2005 by Petitioner/Defendant-Appellant Deborah K. Mainaupo, is hereby denied.

DATED: Honolulu, Hawai'i, July 15, 2005.

FOR THE COURT:

Steven Levinson

Associate Justice



DISSENT BY ACOBA, J., IN WHICH DUFFY, J., JOINS

I respectfully dissent from the denial of certiorari. Based on my dissent in State v. Rivera, 106 Hawai'i 146, 102 P.3d 1044 (2004), I would grant certiorari and vacate the circuit court's sentence.

Mary Ann Barnard, on
the writ for petitioner/
defendant-appellant.

Mary Ann Barnard
Mary Ann Barnard, Jr.

¹ Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.