

NO. 27494

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

BENEDICTO C. CABERTO,
Claimant-Appellant-Appellant-Petitioner,

vs.

MAUI ELECTRIC COMPANY,
Employer-Appellee-Appellee-Respondent.

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

2008 OCT 28 PM 2:35

FILED

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(NO. AB 2002-447(M) (5-92-03123))

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

(By: Levinson, J., for the court, and
Acoba, J., dissenting separately¹)

Upon consideration of the application for writ of certiorari filed on September 18, 2008 by the claimant-appellant-appellant-petitioner Benedicto C. Caberto, the application is hereby rejected.

DATED: Honolulu, Hawai'i, October 28, 2008.

FOR THE COURT:

Steven H. Levinson
STEVEN H. LEVINSON
Associate Justice



David M. Robinson,
for the claimant-appellant-
appellant-petitioner,
on the application

Stanford M.J. Manuia,
for the employer-appellee-
appellee-respondent,
on the opposition to the
application

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