

NO. 28768

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent-Appellee,

vs.

YVONNE M. McMILLEN, Petitioner-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 06-1-1685)

ORDER DISMISSING CERTIORARI PROCEEDING

(By: Nakayama, J., for the court¹
and Acoba, J., dissenting, with whom Moon, C.J., joins)

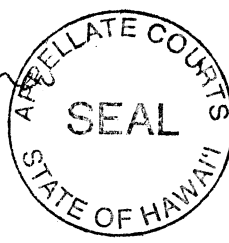
Upon further consideration of the records and files in this case, it appearing that the writ of certiorari herein was improvidently accepted,

IT IS HEREBY ORDERED that this certiorari proceeding is dismissed.

DATED: Honolulu, Hawai'i, March 12, 2009.

FOR THE COURT:

Pamela L. Nakayama
Associate Justice



NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

2009 MAR 12 PM 1:29

FILED

¹Considered by: Moon, C.J., Nakayama, Acoba, and Duffy, JJ., and Circuit Judge Alm, assigned by reason of vacancy.