

NO. 28212

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ALLEN PAUL BRANCO,
Petitioner/Petitioner-Appellant

vs.

STATE OF HAWAI'I,
Respondent/Respondent-Appellee

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

2009 MAR 30 PM 2:40

FILED

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(S.P.P. NO. 03-1-0003; CR. NO. 95-0460)

ORDER DENYING MOTION TO WITHDRAW
APPLICATION FOR WRIT OF CERTIORARI WITHOUT PREJUDICE
(By: Duffy, J.)

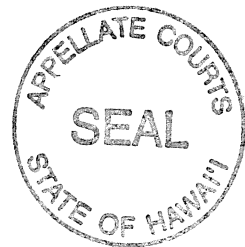
Upon consideration of petitioner/petitioner-appellant Allen Paul Branco's motion to withdraw application for writ of certiorari, the declaration attached thereto, and the record, it appears that the motion does not comply with Hawai'i Rules of Appellate Procedure (HRAP) Rule 42(c). Therefore,

IT IS HEREBY ORDERED that the motion to withdraw is denied without prejudice to refileing a motion to withdraw in accordance with HRAP 42(c).

DATED: Honolulu, Hawai'i, March 30, 2009.

Kame E. Duffy, Jr.

Associate Justice



Gale L.F. Ching
(of Ching & Lee)
for petitioner/petitioner-
appellant on the motion