

NO. 29596

IN THE SUPREME COURT OF THE STATE OF HAWAII

STATE OF HAWAII,
Respondent/Plaintiff-Appellee,

vs.

MICHAEL C. TIERNEY,
Petitioner/Defendant-Appellant.

K. HAMAKA'DO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2009 JUL - 7 PM 2:44

FILED

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 08-1-0869)

ORDER

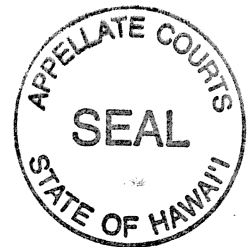
(By: Moon, C.J., for the court¹)

Petitioner/defendant-appellant Michael C. Tierney, by motion for reconsideration filed on June 23, 2009, seeks reconsideration of the June 16, 2009 order rejecting the application for a writ of certiorari, filed on May 22, 2009. However, HRAP 40.1(h) provides that "[n]either acceptance nor rejection of an application for a writ of certiorari shall be subject to a motion for reconsideration in the supreme court. The rejection of an application for certiorari shall be final." Therefore,

IT IS HEREBY ORDERED that the motion for reconsideration is dismissed.

DATED: Honolulu, Hawai'i, July 7, 2009.

[Signature]
Chief Justice



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