

NO. 28877

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Petitioner/Plaintiff-Appellee,

vs.

LAWRENCE CORDER, Respondent/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(FC-CR NOS. 07-1-1080, 06-1-2012, 07-1-1048)

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Nakayama, Duffy, and Recktenwald, JJ.;
and Acoba, J., dissenting, with whom Moon, C.J., joins)

Upon consideration of the motion for reconsideration filed on December 16, 2009 by Respondent/Defendant-Appellant Lawrence Corder, requesting that this court review its opinion filed on November 19, 2009,

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

DATED: Honolulu, Hawai'i, December 23, 2009.

Walter R. Schoettle
for respondent/defendant-
appellant on the motion

DISSENT BY ACOBA, J., IN WHICH MOON, C.J., JOINS

I dissent and would grant the motion for reconsideration.