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NO. SCWC-29679

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

VS.

TYLER CONDON, aka Alex, Respondent/Defendant-Appellant.

_____CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 07-1-1275)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI (By: Recktenwald, C.J., for the court¹)

Petitioner/Plaintiff-Appellee State of Hawaii's application for writ of certiorari filed on October 13, 2010, is hereby rejected.

DATED: Honolulu, Hawai'i, November 24, 2010.

FOR THE COURT:

Marl E. Rechtenude

Keith M. Kaneshiro, Prosecuting Attorney, James M. Anderson, Deputy Prosecuting Attorney, for petitioner/plaintiffappellee, on the application.

 $^{^{1}}$ Considered by: Recktenwald, C.J., Nakayama, Acoba, and Duffy, JJ., and Circuit Judge Nishimura, assigned by reason of vacancy.