

**Electronically Filed
Supreme Court
SCWC-23-0000106
10-JUL-2023
10:08 AM
Dkt. 9 ODSAC**

SCWC-23-0000106

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

HOWARD HOFELICH,
Petitioner/Plaintiff-Appellant,

and

SOUTH PACIFIC SCUBA TOURS, INC.,
a Hawai‘i corporation since 1993,
Intervenor-Appellant,

vs.

STATE OF HAWAI‘I, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
and DEPARTMENT OF LAND AND NATURAL RESOURCES;
DENNIS A. KRUEGER, ESQ.; ASHFORD & WRISTON, LLP;
DAVID B.M. KAAPU, ESQ.; STEPHEN D. WHITTAKER, ESQ.;
CARL VINCENTI; JUNG & VASSAR, P.C., A LAW CORPORATION;
RONALD IBARRA; UNITED STATES COAST GUARD VESSEL DOCUMENTATION
CENTER (USCGVDC); and DAVID H. LAWTON, ESQ.,
Respondents/Defendants-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-23-0000106; CIVIL NO. 3CCV-21-0000297)

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI

(By: Recktenwald, C.J., McKenna and Eddins, JJ.,
and Judge Kawano and Judge Hamman,
assigned by reason of vacancies)

The application for writ of certiorari, filed on June 15, 2023, by petitioner/plaintiff-appellant Howard Hofelich is hereby dismissed.

Dated: Honolulu, Hawai'i, July 10, 2023.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Kelsey T. Kawano

/s/ Kirstin M. Hamman

