Electronically Filed Supreme Court SCWC-10-0000141 31-MAY-2012 10:12 AM

## NO. SCWC-10-0000141

## IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

VS.

WILLIAM EUGENE MAHADY, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (ICA NO. CAAP-10-0000141; FC-CR NO. 10-1-1471)

## ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

(By: Recktenwald, C.J., Nakayama, and McKenna, JJ., and Circuit Judge Border, in place of Duffy, J., recused, with Acoba, J., dissenting separately)

The Application for Writ of Certiorari filed on April 16, 2012 by Petitioner/Defendant-Appellant William Eugene Mahady is hereby rejected.

DATED: Honolulu, Hawai'i, May 31, 2012.

Jon Ikenaga, deputy public defender, for petitioner

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Patrick W. Border

