

**Electronically Filed  
Supreme Court  
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29-JAN-2013  
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SCWC-11-0000749

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

vs.

TODD EUGENE HART, Petitioner/Defendant-Appellant.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CAAP-11-0000749; FC-CR. NO. 11-1-029K)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI  
(By: Recktenwald, C.J., Nakayama, Acoba, McKenna, and Pollack, JJ.)

Petitioner/Defendant-Appellant's application for writ  
of certiorari filed on December 24, 2012, is hereby rejected.

DATED: Honolulu, Hawai'i, January 29, 2013.

James S. Tabe  
for petitioner

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

