

Electronically Filed  
Supreme Court  
SCWC-30460  
02-DEC-2011  
03:21 PM

NO. SCWC-30460

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

---

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

vs.

JOHN APELE KALUAU, III, Petitioner/Defendant-Appellant.

---

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(ICA NO. 30460; CR. NO. 09-1-0262K)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI

(By: Recktenwald, C.J., Nakayama, and Duffy, JJ., with Acoba, J.,  
dissenting separately, and McKenna, J., dissenting separately)

Petitioner/Defendant-Appellant John Apele Kaluau, III's  
application for writ of certiorari filed on October 24, 2011, is  
hereby rejected.

DATED: Honolulu, Hawai'i, December 2, 2011.

Jeffrey A. Hawk  
on the application for  
petitioner/defendant-  
appellant.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ James E. Duffy, Jr.

Linda L. Walton on the  
response for respondent/  
plaintiff-appellee.

