

**Electronically Filed
Supreme Court
SCWC-30559
14-MAY-2013
01:18 PM**

SCWC-30559

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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

vs.

JOSEPH PITTS, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(ICA NO. 30559; CR. NO. 09-1-0097)

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI
AND ORDERING SUPPLEMENTAL BRIEFING

(By: Recktenwald, C.J., Nakayama, Acoba, McKenna, and Pollack, JJ.)

Petitioner/Defendant-Appellant Joseph Pitts' application for writ of certiorari filed on April 17, 2013, is hereby accepted and will be scheduled for oral argument.

The parties will be notified by the appellate clerk regarding scheduling.

IT IS FURTHER ORDERED that each of the parties shall file a supplemental brief by May 31, 2013, not to exceed ten pages in length, addressing whether the circuit court committed plain error in not reinstating standby counsel and/or in not appointing

substitute counsel post-verdict for petitioner with regard to his
post-verdict motions and sentencing.

DATED: Honolulu, Hawai'i, May 14, 2013.

Kevin O'Grady
for petitioner

Sonja J. McCullen
for respondent

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

