

**Electronically Filed
Supreme Court
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NO. SCPW-12-0000729

IN THE SUPREME COURT OF THE STATE OF HAWAII

WENDELL H. JENKINS, Petitioner,

vs.

THE HONORABLE DEXTER D. DEL ROSARIO, JUDGE OF THE CIRCUIT
COURT OF THE FIRST CIRCUIT, STATE OF HAWAII, Respondent.

ORIGINAL PROCEEDING

(ICA CAAP NO. 30196; S.P.P. NO. 08-1-0025; CR. NO. 96-0127)

ORDER

(By: Recktenwald, C.J., Nakayama, Acoba, McKenna, JJ. and
Circuit Judge Garibaldi, in place of Pollack, J. recused)

Upon consideration of petitioner Wendell H. Jenkins' August 22, 2012 petition for a writ of mandamus and the documents submitted in support thereof and attached thereto, the respondent judge's answer and the documents submitted in support thereof and attached thereto, and the record, it appears that the circuit court disposed of the Rule 40 petition for post-conviction relief and the other pending motions on October 4, 2012. Petitioner's request for mandamus relief is therefore moot. Accordingly,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is denied as moot.

DATED: Honolulu, Hawaii, October 18, 2012.

/s/ Mark E. Recktenwald
/s/ Paula A. Nakayama
/s/ Simeon R. Acoba, Jr.
/s/ Sabrina S. McKenna
/s/ Colette Y. Garibaldi

