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Supreme Court
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SCPW-13-0000638

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

GERALD VILLANUEVA, Petitioner,

vs.

STATE OF HAWAI'I, Respondent.

ORIGINAL PROCEEDING

ORDER DENYING MOTION FOR WRIT OF HABEAS CORPUS

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

Upon consideration of petitioner Gerald Villanueva's "Motion for Writ of Habeas Corpus", which was filed on May 3, 2013, the supporting documents and the record, it appears that habeas corpus relief is available to petitioner in the circuit court and petitioner presents no special reason for the supreme court to invoke its original jurisdiction at this time. See Oili v. Chang, 57 Haw. 411, 412, 557 P.2d 787, 788 (1976).

Accordingly,

IT IS HEREBY ORDERED that the clerk of the appellate court shall process the motion for a writ of habeas corpus without payment of the filing fee.

IT IS HEREBY FURTHER ORDERED that the motion for a writ of habeas corpus is denied.

DATED: Honolulu, Hawai'i, June 28, 2013.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna



/s/ Richard W. Pollack