

**Electronically Filed
Supreme Court
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SCPW-13-0001262

IN THE SUPREME COURT OF THE STATE OF HAWAII

GERALD VILLANUEVA, Petitioner,

vs.

JAMES HIRANO, WARDEN, MCCC, Respondent.

ORIGINAL PROCEEDING
(CR. NO. 96-0078)

ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS

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

Upon consideration of petitioner Gerald Villanueva's petition for a writ of habeas corpus, filed on June 2, 2013, 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 petition for a writ of habeas corpus without payment of the filing fee.

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

DATED: Honolulu, Hawai'i, June 26, 2013.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

