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SCRU-11-0000083

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

In the Matter of the
HAWAI‘I RULES OF PENAL PROCEDURE

ORDER AMENDING RULE 41 OF THE HAWAI‘I RULES OF PENAL PROCEDURE
(By: Recktenwald, C.J., Nakayama, Acoba, McKenna, and Pollack, JJ.)

IT IS HEREBY ORDERED that Rule 41 of the Hawai‘i Rules of Penal Procedure is amended, effective July 1, 2013, as follows (deleted material is bracketed and stricken; new material is underscored):

Rule 41. SEARCH AND SEIZURE.

(a) **Authority to issue warrant.** Except as otherwise provided by statute, a [A] search warrant may be issued by any district or circuit judge (1) within the circuit wherein the property sought is located; or (2) within the circuit where the property is anticipated to be located. Application therefor should be made to a district judge wherever practicable.

* * *

DATED: Honolulu, Hawai‘i, June 14, 2013.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

