

NOS. CAAP-13-0000065 AND CAAP-13-0000111

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

NO. CAAP 13-0000065

LONNELL REGINALD WIDEMAN, Petitioner-Appellant, v.
STATE OF HAWAII, Respondent-Appellee,

and

NO. CAAP-13-0000111

LONNELL REGINALD WIDEMAN, Petitioner-Appellant, v.
HAWAII PAROLING AUTHORITY, Respondent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(SPECIAL PROCEEDINGS PRISONER NO. 12-1-0045
(CRIMINAL NO. 85-1261))

SUMMARY DISPOSITION ORDER

(By: Foley, Presiding J., Leonard and Reifurth, JJ.)

Lonnell Reginald Wideman appeals from a January 14, 2013 "Order Denying And Dismissing Petition To Vacate, Set Aside, Or Correct Judgment Or To Release Petition From Custody" entered in the Circuit Court of the First Circuit¹ (circuit court).

Wideman's Hawaii Rules of Civil Procedure Rule 40 petition (Rule 40) contended the Hawaii Paroling Authority (HPA) unlawfully revoked his parole for not reporting contact with law enforcement to his parole officer. Wideman's Rule 40 petition also alleged various procedural irregularities by the HPA as well

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The Honorable Karen S.S. Ahn presided.

as ineffectiveness of counsel. Wideman makes similar points and arguments on appeal.

Upon careful review of the record and the briefs submitted by the parties and having given due consideration to the arguments advanced and the issues raised by the parties, as well as the relevant statutory and case law, we conclude Wideman's appeal is without merit.

The record in this case shows Wideman failed to report contact with law enforcement in violation of a condition of his parole. The record also indicates his parole revocation proceedings were pursuant to the applicable statutes and rules that govern such proceedings. In addition, there is nothing in the record to suggest his counsel was ineffective.

The circuit court dismissal and denial of Wideman's Rule 40 petition as patently frivolous and without a trace of support in either the record or evidence submitted by Wideman, or in his allegations and arguments, was not erroneous.

Therefore,

IT IS HEREBY ORDERED that the January 14, 2013 "Order Denying And Dismissing Petition To Vacate, Set Aside, Or Correct Judgment Or To Release Petition From Custody" entered in the Circuit Court of the First Circuit is affirmed.

DATED: Honolulu, Hawai'i, October 23, 2013.

On the briefs:

Lonnell Reginald Wideman
Petitioner-Appellant pro se.

Presiding Judge

Richard W. Stacey
Diane K. Taira
Deputy Attorneys General
for Respondent-Appellee.

Associate Judge

Associate Judge