

Electronically Filed  
Supreme Court  
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NO. 30722

IN THE SUPREME COURT OF THE STATE OF HAWAII

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MICHAEL C. TIERNEY, Petitioner,

vs.

DELANIE PRESCOTT-TATE, Deputy Prosecuting Attorney, Respondent.

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ORIGINAL PROCEEDING

ORDER

(By: Recktenwald, C.J., Acoba and Duffy, JJ., and  
Nakayama, J., Dissenting, with whom Circuit Judge Crandall,  
assigned by reason of vacancy, Joins)

Upon consideration of respondent's "Motion to Have  
Michael C. Tierney Declared a Vexatious Litigant," filed on  
September 14, 2010, and the papers in support,

IT IS HEREBY ORDERED that the motion is denied.

DATED: Honolulu, Hawai'i, November 16, 2010.

/s/ Mark E. Recktenwald

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

