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Supreme Court
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SCWC-14-0001016

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MICKEY A. MADDOX, Petitioner/Plaintiff-Appellant,

vs.

MAUI POLICE DEPARTMENT; CLERK OF THE CIRCUIT COURT OF THE SECOND
CIRCUIT, STATE OF HAWAI'I, Respondents/Defendants-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-14-0001016; CIV. NO. 13-1-0900(1))

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI
(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

Upon consideration of the application for writ of certiorari, filed on April 6, 2015, and the record, it appears that the Intermediate Court of Appeals ("ICA") did not gravely err in entering its March 5, 2015 order dismissing Petitioner's appeal inasmuch as the circuit court did not reduce the June 12, 2014 order of dismissal and the June 30, 2014 order denying the motion to set aside the order of dismissal and reinstate the action to a judgment on a separate document. As noted by the ICA, and consistent with Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 869 P.2d 1334 (1994) and HRCF Rule 58,

the circuit court's June 12, 2014 and June 30, 2014 orders are required to be reduced by the circuit court to a separate judgment in order to, inter alia, permit an appeal from these orders. Accordingly,

IT IS HEREBY ORDERED that the application for writ of certiorari is rejected.

DATED: Honolulu, Hawai'i, May 14, 2015.

Mickey A. Maddox,
petitioner pro se

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

