

NO. 29993

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee, v.
MICHAEL C. TIERNEY, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CRIMINAL NO. 08-1-0869)

ORDER DENYING MOTIONS FOR RECONSIDERATION
AND TO REVIEW PETITION FOR WRIT OF HABEAS CORPUS
(By: Fujise, Presiding Judge, Leonard and Reifurth, JJ.)

Upon consideration of Appellant's January 11, 2011 Motion for Reconsideration En Banc, and Motion of Certified Question of Conflict, the papers in support, and the record and file herein, it appears that Appellant is seeking reconsideration of this court's December 29, 2010 Summary Disposition Order.

Appellant fails to show that the court overlooked or misapprehended any point of law or fact. In addition, on December 1, 2009, this court entered an order with respect to motions filed by Appellant advising Appellant that "all requests for relief should be by counsel[,] and denying Appellant's request for relief on that basis. On July 28, 2010, this court denied motions filed by Appellant on that same basis.

It further appears that Appellant moves for a review of a March 19, 2009 denial of his Petition for Writ of Habeas Corpus; however, this court does not have jurisdiction over such matters. Haw. Rev. Stat. § 660-3 (1993); Hawai'i Rules of Appellate Procedure Rule 21(d). Therefore,

IT IS HEREBY ORDERED that the motions are denied.

DATED: Honolulu, Hawai'i, January 27, 2011.

On the motions:

Michael C. Tierney
Defendant-Appellant

Presiding Judge

Associate Judge

Associate Judge