NO. 30636

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MICHAEL C. TIERNEY, Petitioner,

vs.

LOREN J. THOMAS, Deputy Prosecuting Attorney, City and County of Honolulu, Respondent.

ORIGINAL PROCEEDING (Cr. No. 08-1-0869)

ORDER

(By: Moon, C.J., Nakayama, Acoba, Duffy, and Recktenwald, JJ.)

Upon consideration of the motion for reconsideration of the August 2, 2010 order denying the petition for a writ of mandamus,

IT IS HEREBY ORDERED that the motion for

reconsideration is denied.

DATED: Honolulu, Hawai'i, August 18, 2010.