

**Electronically Filed  
Supreme Court  
30722  
21-DEC-2010  
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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., Nakayama, Acoba, and Duffy, JJ.  
and Circuit Judge Crandall, assigned by reason of vacancy)

Upon consideration of the motion for reconsideration of  
the November 16, 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, December 21, 2010.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

/s/ Virginia L. Crandall

