

Electronically Filed  
Supreme Court  
SCPW-13-0004021  
11-AUG-2014  
11:30 AM

SCPW-13-0004021

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

---

DAVID T. FLEMING, Petitioner,

vs.

THE HONORABLE RHONDA I.L. LOO, JUDGE OF THE CIRCUIT  
COURT OF THE SECOND CIRCUIT, Respondent Judge,

and

STATE OF HAWAI'I, Respondent.

---

ORIGINAL PROCEEDING  
(CR. NO. 06-1-0570(1))

ORDER DISMISSING AS MOOT MOTION TO DISMISS  
PETITION FOR WRIT OF MANDAMUS

(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

Upon consideration of Respondent State of Hawai'i's motion to dismiss the petition for a writ of mandamus, filed on August 5, 2014, the document attached thereto and submitted in support thereof, and the record, it appears that the petition for a writ of mandamus was dismissed by order entered on August 5, 2014, and, therefore, the motion is moot. See Wong v. Board of Regents, Univ. of Haw., 62 Haw. 391, 394, 616 P.2d 201, 203

(1980) (the mootness doctrine encompasses the circumstances that destroy the justiciability of a case previously suitable for determination). Accordingly,

IT IS HEREBY ORDERED that the motion is dismissed as moot.

DATED: Honolulu, Hawai'i, August 11, 2014.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

