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Supreme Court
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SCPW-19-0000847

IN THE SUPREME COURT OF THE STATE OF HAWAII

ERIC RICHARD ELESON, Petitioner,

vs.

STATE OF HAWAII, Respondent.

ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS

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

Upon consideration of petitioner Eric Richard Eleson's petition for writ of habeas corpus, filed on December 10, 2019, the documents attached thereto and submitted in support thereof, and the record, it appears that petitioner presents no special reason for this court to invoke its jurisdiction at this time. See Oili v. Chang, 57 Haw. 411, 412, 557 P.2d 787, 788 (1976) (the supreme court "will not exercise its original jurisdiction in habeas corpus proceedings when relief is available in a lower court and no special reason exists for invoking its jurisdiction"). Accordingly,

IT IS HEREBY ORDERED that the petition for writ of habeas corpus is denied.

IT IS HEREBY ALSO ORDERED that the clerk of the appellate court shall process the petition for writ of habeas corpus without payment of the filing fee.

IT IS HEREBY FURTHER ORDERED that the clerk of the appellate court is directed to file a copy of petitioner's "Verified Petition for a Writ in the Nature of Habeas Corpus," filed on December 10, 2019 (Dkt. No. 1), as an application for writ of certiorari of the ICA's judgment on appeal, filed on December 6, 2019, in CAAP-18-0000747. A filed-marked copy of the document filed as an application for writ of certiorari shall be provided to petitioner.

DATED: Honolulu, Hawai'i, December 17, 2019.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

