

**Electronically Filed
Supreme Court
SCWC-18-0000494
13-FEB-2020
09:13 AM**

SCWC-18-0000494

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

STATE OF HAWAI‘I,
Respondent/Plaintiff-Appellee,

vs.

AUSTIN H. ROSA,
Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-18-0000494; d5CPC-17-0000201)

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI
AND REMANDING THE CASE TO THE CIRCUIT COURT
FOR DETERMINATION OF APPOINTMENT OF COUNSEL

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

Petitioner/Defendant-Appellant Austin H. Rosa’s application for writ of certiorari, filed on February 3, 2020 is hereby accepted.

IT IS FURTHER ORDERED that no oral argument will be heard in this case, subject to further order of the court.

IT IS FURTHER ORDERED that the case is temporarily remanded to the circuit court to hold a hearing and to determine promptly, the status of the withdrawal of counsel for petitioner and whether the appointment of new counsel is necessary. The circuit court shall, within 10 days after the hearing, enter a

written order. The clerk of the court shall ensure that the order is filed as a supplemental record on appeal in this case.

DATED: Honolulu, Hawai'i, February 13, 2020.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

