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SCPW-20-0000560

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ISAIAH W. MCCOY, Petitioner,

vs.

THE HONORABLE TODD W. EDDINS, Judge of the Circuit Court of the First Circuit, State of Hawai'i, Respondent Judge,

and

STATE OF HAWAI'I and FRANCIS SEQUEIRA, Warden, O'ahu Community Correctional Center, Respondent.

ORIGINAL PROCEEDING (CR. NO. 1CPC-19-0001279)

ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS <u>AND MOTION</u> (By: Recktenwald, C.J., Nakayama, McKenna, and Wilson, JJ., and Circuit Judge Kuriyama, assigned by reason of vacancy)

Upon consideration of petitioner Isaiah W. McCoy's petition for writ of habeas corpus, filed on September 11, 2020, the motion, filed on September 24, 2020, the respective supporting documents, and the record, it cannot be said that the respondent judge committed a flagrant and manifest abuse of discretion in revoking bail under the specific facts and circumstances of this case, or that petitioner is entitled to the requested extraordinary relief from this court. <u>See, e.g.</u>, HRS §§ 804-3(b) and 804-7.3; <u>Oili v. Chanq</u>, 57 Haw. 411, 412, 557 P.2d 787, 788 (1976). Accordingly,

IT IS HEREBY ORDERED that the petition for writ of habeas corpus and motion are denied.

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

DATED: Honolulu, Hawai'i, October 1, 2020.

- /s/ Mark E. Recktenwald
- /s/ Paula A. Nakayama
- /s/ Sabrina S. McKenna
- /s/ Michael D. Wilson
- /s/ Christine E. Kuriyama