

**Electronically Filed
Supreme Court
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SCPW-23-0000300

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

JASON FLETCHER, Petitioner,

vs.

The Honorable CATHERINE H. REMIGIO, Judge of the Circuit Court
of the First Circuit, State of Hawai'i, Respondent Judge,

and

STATE OF HAWAI'I, Respondent.

ORIGINAL PROCEEDING
(CASE NO. 1CPC-21-0001352)

ORDER DENYING PETITION

(By: Recktenwald, C.J., McKenna, and Eddins, JJ.,
Circuit Court Judge Cataldo and Circuit Court Judge Kawashima
assigned by reason of vacancies)

Upon consideration of petitioner Jason Fletcher's
letters filed April 21, 2023 at Docket 1 and Docket 2 under
seal, which were filed as a petition, the documents attached
thereto and submitted in support thereof (collectively referred
to herein as "the petition"), and the record, we find that

Fletcher has alternative means in the circuit court under Hawai'i Rules of Penal Procedure (HRPP) Rule 40 to address the alleged wrong or obtain the requested action. See Kema v. Gaddis, 91 Hawai'i 200, 204, 982 P.2d 334, 338 (1999); Oili v. Chang, 57 Haw. 411, 412, 557 P.2d 787, 788 (1976).

IT IS HEREBY ORDERED that:

1. The petition is denied without prejudice;
2. The clerk of the appellate court shall process the petition without payment of the filing fee;
3. With respect to the sealed court filings at Docket 1 and Docket 2, the appellate clerk shall file a redacted version of these documents on the public record by redacting the social security numbers and dates of birth in conformance with the definition of "Personal Information" in Rule 2.19 of the Hawai'i Court Records Rules, and by redacting the Presentence Diagnosis and Report that appears at Docket 2, pages 27 through 30. The clerk shall file the redacted versions of Docket 1 and Docket 2 on the record in this case as new filings, and Docket 1 and Docket 2 shall remain sealed as they contain the confidential personal information of the Petitioner, including his social security number, date of birth, and "non-conviction data" as defined by Hawai'i Revised Statutes § 846-1. Any individual may file a motion objecting to the sealing of these documents;

4. The appellate clerk shall transmit the sealed and redacted versions of the petition to the first circuit court for filing under HRPP Rule 40; and

5. In response to Fletcher's request to initiate a formal complaint about his attorney, the appellate clerk shall transmit a copy of the petition to the Office of the Disciplinary Counsel (ODC) for such action as the ODC deems appropriate, with a copy transmitted to Fletcher's last known address at Saguaro Correctional Center, 1250 East Arica Road, Eloy, Arizona 85131.

Dated: Honolulu, Hawai'i, June 26, 2023.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa W. Cataldo

/s/ James S. Kawashima

