

**Electronically Filed
Supreme Court
SCPW-23-0000608
18-DEC-2023
02:08 PM
Dkt. 16 ODMR**

SCPW-23-0000608

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

MARSHALL MARTINEZ,
Petitioner,

vs.

THE HONORABLE SHIRLEY M. KAWAMURA,
Judge of the Circuit Court of the First Circuit,
State of Hawai‘i, Respondent Judge,

and

SHANNON CLUNEY, WARDEN FOR HALAWA CORRECTIONAL FACILITY,
Respondent.

ORIGINAL PROCEEDING
(CASE NO. 1CPN-23-0000003)

ORDER DENYING MOTION FOR RECONSIDERATION
(By: Recktenwald, C.J., McKenna, and Eddins, JJ.,
Circuit Judge Morikone and Circuit Judge Park,
assigned by reason of vacancies)

Upon consideration of Petitioner’s December 12, 2023 motion to correct an alleged error with this court’s November 21, 2023 order denying the petition for a writ of mandamus, which we construe as a motion for reconsideration, and the record,

Petitioner's motion is untimely. Even if deemed timely, this court has not overlooked or misapprehended points of law or fact. See Hawai'i Rules of Appellate Procedure Rule 40(b).

It is ordered that the motion is denied.

DATED: Honolulu, Hawai'i, December 18, 2023.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Kevin T. Morikone

/s/ Shanlyn A.S. Park

