

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-23-0000686  
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Dkt. 14 ORD**

NO. CAAP-23-0000686

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

LEROY LEE BOLDEN, Petitioner-Appellant, v.  
STATE OF HAWAI'I, Respondent-Appellee

DISTRICT COURT OF THE FIRST CIRCUIT  
HONOLULU DIVISION  
(CASE NOS. 1DTI-20-131601; 1DCC-20-0036823; and 1DCC-20-0032858)

ORDER

(By: Leonard, Acting Chief Judge, Nakasone and McCullen, JJ.)

Upon review of the record, it appears that:

(1) On November 17, 2023, the appellate clerk received from self-represented Petitioner-Appellant LeRoy Lee Bolden (Bolden) a Petition to Vacate, Set Aside, or Correct Judgment or to Release Petitioner from Custody (Petition), under Hawai'i Rules of Penal Procedure Rule 40, and a Request to Proceed Without Paying Filing Fees (Request for Fee Waiver);

(2) The appellate clerk mistakenly created this appeal with the Petition, which should have been forwarded, along with the Request for Fee Waiver, to the Circuit Court of the First Circuit to create a new case; and

(3) Bolden subsequently filed in this appeal several documents that should have been filed in other cases. See Hawai'i Court Records Rules Rule 3.3.

Therefore, IT IS HEREBY ORDERED that the appellate clerk shall forward to the Clerk of the Circuit Court of First Circuit (circuit court clerk) copies of the Petition (Dkt. 1) and

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Request for Fee Waiver (Dkt. 2), to create a new district court or circuit court case as appropriate.

IT IS FURTHER ORDERED that the appellate clerk shall file in State v. Bolden, CAAP-23-0000742, a copy of this order and Bolden's request for discovery, filed December 8, 2023, at docket 6, and forward to the Clerk of the District Court of the First Circuit (district court clerk) a copy of the same request for discovery for filing in State v. Bolden, 1DCW-17-0002263.

IT IS FURTHER ORDERED that the appellate clerk shall forward to the district court clerk a copy of Bolden's motion, filed December 11, 2023, at docket 8, for filing in State v. Bolden, 1DTI-20-131601.

IT IS FURTHER ORDERED that the appellate clerk shall forward to the district court clerk a copy of Bolden's motion, filed January 11, 2024, at docket 10, for filing in State v. Bolden, 1DCC-20-0036823, and State v. Bolden, 1DCC-20-0032858.

IT IS FURTHER ORDERED that the appellate clerk shall serve a copy of this order on the circuit court clerk and district court clerk, with the documents described above.

IT IS FURTHER ORDERED that the appellate clerk shall close this appeal.

DATED: Honolulu, Hawai'i, February 27, 2024.

/s/ Katherine G. Leonard  
Acting Chief Judge

/s/ Karen T. Nakasone  
Associate Judge

/s/ Sonja M.P. McCullen  
Associate Judge