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SCPW-24-0000506

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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THEODORE KAWIKA KAOHU, JR., Petitioner,

vs.

STATE OF HAWAI‘I, Respondent.

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ORIGINAL PROCEEDING

(1CPN-20-0000011; CASE NO. 1PC111001756)

ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS

(By: Recktenwald, C.J., McKenna, Ginoza, and Devens, JJ.,  
and Circuit Judge Kubota, in place of Eddins, J., recused)

Upon consideration of the petition for writ of habeas corpus filed on July 30, 2024, and the record, it appears that Petitioner sought the same relief in 1CPN-20-0000011. Petitioner did not appeal from the circuit court’s December 6, 2022 order that denied the Hawai‘i Rules of Penal Procedure Rule 40 petition in 1CPN-20-0000011. A petition for writ of habeas corpus filed in this court is not intended to be used in lieu of normal appellate procedures. See Hawai‘i Revised Statutes § 660-3 (2016); Oili v. Chang, 57 Haw. 411, 412, 557 P.2d 787, 788 (1976). Petitioner has not presented a special reason for this

court to invoke its original jurisdiction in a habeas corpus proceeding. See Oili, 57 Haw. at 412, 557 P.2d at 788.

IT IS HEREBY ORDERED that the petition is denied.

DATED: Honolulu, Hawai'i, October 18, 2024.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Lisa M. Ginoza

/s/ Vladimir P. Devens

/s/ Peter K. Kubota

