

Electronically Filed  
Supreme Court  
SCWC-23-0000736  
26-JAN-2026  
01:15 PM  
Dkt. 8 ODSAC

SCWC-23-0000736

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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GARRETH A. GRAHAM,  
Petitioner/Petitioner-Appellant,

vs.

HAWAI‘I PAROLING AUTHORITY; STATE OF HAWAI‘I,  
Respondents/Respondents-Appellees.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CAAP-23-0000736; CASE NO. 1CPN-19-0000005 (1PC940001048))

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI  
(By: McKenna, Acting C.J., Eddins, Ginoza, and Devens, JJ., and  
Circuit Judge Nakamoto, assigned by reason of vacancy)

This court construes Petitioner Garreth A. Graham’s  
(**Graham**) “‘Notice of Appeal’ regarding my application for writ  
of certiorari to the Supreme Court of Hawai‘i,” received by the  
appellate clerk on December 12, 2025, as an application for writ  
of certiorari (**application**). As of December 12, 2025, the  
Intermediate Court of Appeals (**ICA**) had not yet filed a Judgment  
on Appeal. The ICA filed its Judgment on Appeal on January 12,  
2026.

Therefore, IT IS HEREBY ORDERED that Graham's application is dismissed without prejudice to re-filing the application pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 40.1(a) (2020) ("The application shall be filed within thirty days after the filing of the intermediate court of appeals' judgment on appeal or dismissal order, unless the time for filing the application is extended in accordance with this rule." (emphasis added)).

Graham also filed a letter received by the appellate clerk on January 20, 2026, notifying this court that he wishes to "withdraw the Notice of Appeal regarding the Application For Writ of Certiorari" filed on December 12, 2025. This court construes the letter as a motion to withdraw the application (**motion**).

IT IS HEREBY FURTHER ORDERED that the motion is dismissed as moot.

DATED: Honolulu, Hawai'i, January 26, 2026.

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Vladimir P. Devens

/s/ Henry T. Nakamoto

