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Supreme Court
SCWC-23-0000334
21-JUL-2026
09:34 AM
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SCWC-23-0000334

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

STATE OF HAWAI‘I,
Respondent/Plaintiff-Appellee,

vs.

MICHAEL ARLO PAVICH,
Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-23-0000334; CASE NO. 2PC011000015)

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

Pursuant to this court’s discretion set forth in Hawai‘i
Revised Statutes (**HRS**) § 602-59(a), Petitioner Michael Arlo
Pavich’s Application for Writ of Certiorari, filed on May 27,
2026, is accepted and will be scheduled for oral argument. The
parties will be notified by the appellate clerk regarding
scheduling.

IT IS FURTHER ORDERED that the parties shall submit supplemental briefing on the following:

1. If waiver does not affect his rights under HRS chapter 844D, Part XI, is Pavich entitled to a remedy based on the State's failure to retain biological evidence under HRS § 844D-126?

2. What are appropriate remedies for failure to comply with the requirements under HRS § 844D-126, given the overall statutory scheme in HRS chapter 844D, Part XI?

Supplemental briefs shall be filed by August 20, 2026, and shall not exceed fifteen (15) pages.

DATED: Honolulu, Hawai'i, July 21, 2026.

/s/ Vladimir P. Devens

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ James H. Ashford

