

NO. 27053

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

D.R. PARTNERS, dba The Hawaii Tribune-Herald and
West Hawaii Today, a Nevada general partnership,
Petitioner

vs.

THE HONORABLE MATTHEW S.K. PYUN, Administrative
Judge of the District Court of the Third Circuit,
Respondent

ORIGINAL PROCEEDING

ORDER

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of: (1) the petition for writ of mandamus filed by Petitioner D.P. Partners, dba The Hawaii Tribune-Herald and West Hawaii Today, the papers in support and opposition; and (2) the motion to withdraw the petition for a writ of mandamus, it appears that: (1) in the petition, Petitioner seeks a writ of mandamus directing the respondent judge to cease his stated practice of conducting criminal proceedings involving persons in custody behind closed courtroom doors in the District Court of the Third Circuit; (2) on February 17, 2005, counsel for the respondent judge filed a declaration stating that the respondent judge rescinded the disputed policy; (3) Petitioner seeks leave to withdraw the petition due to the cancellation of the disputed policy; and (4) with the cancellation of the respondent judge's disputed

policy, Petitioner obtained the relief requested in the petition.

Therefore,

IT IS HEREBY ORDERED that the motion to withdraw the petition for a writ of mandamus is granted, and this petition is dismissed. Dismissal of this petition does not preclude Petitioner from seeking relief, if warranted, in the future.

DATED: Honolulu, Hawai'i, March 4, 2005.

Jeffrey S. Portnoy
and Elijah Yip for
petitioner on the
petition and motion