IN THE SUPREME COURT OF THE STATE OF HAWAI'I

In the Matter of:

MATT'S TRANSMISSION REPAIR, INC., a Hawaii corporation, Petitioner-Appellant,

VS.

CAROLL TAKAHASHI, DIRECTOR OF THE DEPARTMENT OF BUDGET AND FISCAL SERVICES, CITY AND COUNTY OF HONOLULU, STATE OF HAWAI'I, Respondent-Appellee,

and

PACIFIC DETROIT KIESEL-ALLISON COMPANY, Intervenor/Respondent-Appellee.

ORIGINAL PROCEEDING

ORDER TRANSFERRING APPLICATION TO THE CIRCUIT COURT OF THE FIRST CIRCUIT (By: Levinson, J.1)

Upon consideration of the Application for Judicial Review submitted by Petitioner-Appellant Matt's Transmission Repair, Inc., and Act 251 of the 2001 Hawai'i Session Laws, it appears that the application should have been filed in the Circuit Court of the First Circuit. Therefore,

IT IS HEREBY ORDERED that the Clerk shall transfer the original Application and any filing fees submitted therewith to the Circuit Court of the First Circuit, and the Circuit Court of the First Circuit shall file the application in accordance with its rules.

 $^{^{1}}$ Considered by: Moon, CJ; Levinson, Nakayama, Ramil, and Acoba, JJ.

IT IS FURTHER ORDERED that the Clerk shall give notice of the transfer to the Petitioner-Appellant and the Respondent- and Intervenor-Appellees by sending a copy of this order to them.

IT IS FINALLY ORDERED that the Clerk shall retain a copy of the original Application and this order for supreme court case number 24668 and shall designate supreme court case number 24668 as dismissed.

DATED: Honolulu, Hawaiʻi, November 15, 2001.

FOR THE COURT:

STEVEN H. LEVINSON Associate Justice