

\*\*\* NOT FOR PUBLICATION \*\*\*

NO. 23781

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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THE STATE OF HAWAI'I, by its Office of Consumer Protection,  
Petitioner-Appellee

vs.

FAITH M. PIERSON dba PARADISE ISLE RENTALS,  
aka PARADISE RENT-A-CAR, INC., aka TOYLAND RENTALS,  
Respondent-Appellant

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APPEAL FROM THE FIRST CIRCUIT COURT  
(S.P. NO. 00-1-0270)

SUMMARY DISPOSITION ORDER

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

Respondent-appellant Faith M. Pierson, dba Paradise Isle Rentals, aka Paradise Rent-A-Car, Inc., aka Toyland Rentals, appeals from the August 30, 2000 order of the circuit court of the first circuit, the Honorable Victoria S. Marks presiding, denying Pierson's motion for stay pending appeal from the July 14, 2000 order granting in part and denying in part the State of Hawai'i, Office of Consumer Protection's (OCP) ex parte motion for order to show cause. On appeal, Pierson argues, inter alia,<sup>1</sup> that the "[b]alance of irreparable harm tipped in favor of issuance of [a] stay order[,]" and public interest favored issuance of a stay order.

Upon carefully reviewing the record and the briefs submitted by the parties and having given due consideration to the arguments advanced and the issues raised, we hold that this appeal is, in effect, a second motion in this court for stay of the circuit court's July 14, 2000 order. As such, the August 30, 2000 order is summarily affirmed in accordance with this court's December 15, 2000 denial of Pierson's first motion for stay

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<sup>1</sup> Pierson also argues that the circuit court's July 14, 2000 order violated the fourth and fifth amendments to the United States Constitution. These arguments were addressed in Supreme Court Case No. 23586.

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pending appeal. Therefore,

IT IS HEREBY ORDERED that the judgment from which the appeal is taken is affirmed.

DATED: Honolulu, Hawai'i, June 10, 2004.

On the briefs:

Jack F. Schweigert  
for the respondent-appellant  
Faith M. Pierson

Lisa Tong  
for the petitioner-appellee  
State of Hawai'i,  
Office of Consumer Protection