

NO. 26841

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Petitioner,

vs.

VIRGINIA L. CRANDALL, Judge, Ninth Division, Circuit Court of the
First Circuit, State of Hawai'i, and SHAUN C. RODRIGUES,
Respondents.

ORIGINAL PROCEEDING
(CR. NO. 00-1-1515)

ORDER DENYING PETITION FOR A WRIT DIRECTED TO A JUDGE
(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of Petitioner State of Hawaii's petition for a writ directed to a judge, the papers in support, and the records and files herein, it appears: (1) the State seeks review of the respondent judge's order granting a motion for release on bail pending appeal in State v. Rodrigues, Cr. No. 00-1-1515; (2) on October 7, 2004, Defendant Shaun C. Rodrigues filed a notice of appeal, which was docketed as Appeal No. 26874, from the judgment of conviction and sentence entered in Cr. No. 00-1-1515; and (3) any request for relief related to the order granting release on bail pending appeal should be filed in the pending appeal. Therefore,

IT IS HEREBY ORDERED that the petition for a writ directed to a judge is denied without prejudice to the State seeking relief in the pending appeal.

DATED: Honolulu, Hawai'i, November 3, 2004.

James M. Anderson,
Deputy Prosecuting Attorney,
for petitioner on the writ