

NO. 29829

IN THE SUPREME COURT OF THE STATE OF HAWAII

MICHAEL C. TIERNEY, Petitioner,

vs.

CLAYTON FRANK, DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY, STATE OF HAWAII and PETER CARLISLE, PROSECUTING ATTORNEY, CITY AND COUNTY OF HONOLULU, Respondents.

K. HANAU KODU
CLERK, APPELLATE COURTS
STATE OF HAWAII

2009 JUL -7 9M 10:03

FILED

ORIGINAL PROCEEDING

ORDER

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

Upon consideration of the motion for reconsideration of the June 12, 2009 order denying the petition for a writ of mandamus,

IT IS HEREBY ORDERED that the motion for reconsideration is denied.

DATED: Honolulu, Hawai'i, July 7, 2009.

Anna C. Nakayama

James E. Duffy Jr.

Mark E. Recktenwald