

NO. 30262

IN THE SUPREME COURT OF THE STATE OF HAWAII

EM. RIMANDO  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

2010 JAN 13 AM 11:33

FILED

HONOLULU POLICE DEPARTMENT, Petitioner,

vs.

THE HONORABLE MICHAEL A. TOWN, JUDGE OF THE CIRCUIT  
COURT OF THE FIRST CIRCUIT, STATE OF HAWAII;  
OBED K. KAY; and STATE OF HAWAII, Respondents.

ORIGINAL PROCEEDING  
(CR. NO. 07-1-1315)

ORDER GRANTING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Honolulu Police Department's petition for a writ of mandamus filed on December 30, 2009 and the papers in support,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is granted. The Findings of Fact, Conclusions of Law, and Order Denying Movant Honolulu Police Department's Motion to Quash Subpoena Duces Tecum, entered on October 8, 2009 in Cr. No. 07-1-1315, State of Hawai'i vs. Obed K. Kay, is vacated. An opinion will follow.

DATED: Honolulu, Hawai'i, January 13, 2010.



Michael Nakayama



James E. Duffy Jr.

Mr. E. Recktenwald