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Supreme Court
SCPW-15-0000507
27-JUL-2015
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SCPW-15-0000507

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

NELSON WAIKIKI, JR., Petitioner,

vs.

THE HONORABLE RHONDA LOO, JUDGE OF THE CIRCUIT COURT OF THE
SECOND CIRCUIT, STATE OF HAWAI'I, Respondent Judge,

and

STATE OF HAWAI'I, Respondent.

ORIGINAL PROCEEDING
(CR. NO. 13-1-0428)

ORDER DENYING WITHOUT PREJUDICE
PETITION FOR WRIT OF HABEAS CORPUS

(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

Upon consideration of the document submitted by Michelle Denise Waikiki, on behalf of Nelson Waikiki Jr., entitled "Petition for Habeas Corpus, for Cause," filed on July 7, 2015, the documents attached thereto and submitted in support thereof, and the record, it appears that (1) Michelle Denise Waikiki is not an attorney licensed to practice law in the State of Hawai'i, see HRS § 605-14 (Supp. 2014), and (2) Petitioner has alternative means to seek post-conviction relief and presents no special reason for this court to invoke its jurisdiction at this time, see Oili v. Chang, 57 Haw. 411, 412, 557 P.2d 787, 788

(1976) (the supreme court "will not exercise its original jurisdiction in habeas corpus proceedings when relief is available in a lower court and no special reason exists for invoking its jurisdiction"). Accordingly,

IT IS HEREBY ORDERED that the appellate clerks' office shall file the petition for a writ of habeas corpus without payment of the filing fee.

IT IS HEREBY FURTHER ORDERED that the petition for a writ of habeas corpus is denied without prejudice to Petitioner seeking relief in the circuit court, as appropriate.

IT IS HEREBY FINALLY ORDERED that the appellate clerk's office shall not accept any further filings signed by Michelle Denise Waikiki on behalf of Petitioner.

DATED: Honolulu, Hawai'i, July 27, 2015.

- /s/ Mark E. Recktenwald
- /s/ Paula A. Nakayama
- /s/ Sabrina S. McKenna
- /s/ Richard W. Pollack
- /s/ Michael D. Wilson

