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Supreme Court
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SCPW-15-0000638

IN THE SUPREME COURT OF THE STATE OF HAWAII

GERALD VILLANUEVA, Petitioner,

vs.

STATE OF HAWAII, Respondent.

ORIGINAL PROCEEDING
(NO. 20220; CR. NO. 96-0078)

ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS

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

Upon consideration of Petitioner Gerald Villanueva's "Petition to Vacate, Set Aside, or Correct Judgment or to Release Petitioner from Custody," which was filed on August 28, 2015 as a petition for a writ of habeas corpus, the documents attached thereto and submitted in support thereof, and the record, it appears that Petitioner is presently seeking identical relief in CAAP-15-0000408, 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 petition for a writ of habeas corpus is denied.

DATED: Honolulu, Hawai'i, September 1, 2015.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

