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Supreme Court
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IN THE SUPREME COURT OF THE STATE OF HAWAII

ERIK WILLIS, Petitioner,

vs.

THE HONORABLE SHIRLEY M. KAWAMURA, Judge of the Circuit Court of
the First Circuit, State of Hawai'i, Respondent Judge,

and

STATE OF HAWAII, Respondent.

ORIGINAL PROCEEDING
(CR. NO. 1CPC-20-0000887)

ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS AND/OR MANDAMUS

(By: Recktenwald, C.J., Nakayama, J., and
Circuit Judge Souza, assigned by reason of vacancy,
with McKenna, J., dissenting, with whom Wilson, J., joins)

Upon consideration of petitioner Erik Willis's petition for writ of habeas corpus and/or mandamus, filed on August 2, 2020, the documents attached thereto and submitted in support thereof, and the record, it cannot be said that the respondent judge committed a flagrant and manifest abuse of discretion in denying bail under the specific facts and circumstances of this case. See, e.g., HRS §§ 804-3(b)(3) (bail may be denied where

the charge is for a serious crime and “[t]here is a serious risk that the person poses a danger to any person or the community”); Kema v. Gaddis, 91 Hawai‘i 200, 204, 982 P.2d 334, 338 (1999); Oili v. Chang, 57 Haw. 411, 412, 557 P.2d 787, 788 (1976).
Accordingly,

IT IS HEREBY ORDERED that the petition for writ of habeas corpus and/or mandamus is denied.

DATED: Honolulu, Hawai‘i, September 2, 2020.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Kevin A. Souza



DISSENT

I respectfully dissent. I would require an answer be filed pursuant to Hawai‘i Rules of Appellate Procedure Rule 21(c).

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson