

**Electronically Filed
Supreme Court
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SCAD-22-0000316

IN THE SUPREME COURT OF THE STATE OF HAWAII

DISCIPLINARY BOARD OF THE HAWAII SUPREME COURT,
Petitioner,

vs.

PRESTON A. GIMA, (Bar No. 2710),
Respondent.

ORIGINAL PROCEEDING
(DB NO. 21-9003)

ORDER OF TRANSFER TO INACTIVE STATUS

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

Upon review of the May 3, 2022 petition filed by the Office of Disciplinary Counsel on behalf of, and with the approval of, the Disciplinary Board of the Hawaii Supreme Court, requesting this court to determine whether Respondent Preston A. Gima had asserted incapacity, pursuant to Rules 2.19 (b) and 2.19(c) of the Rules of the Supreme Court of the State of Hawaii (RSCH), such that he should be placed on inactive status pursuant to those Rules, the lack of response from Respondent Gima, and upon examination of the record in this matter and in ODC v. Gima, SCAD-16-613 and ODC v. Gima, SCAD-20-414, we conclude Gima has informed the Disciplinary Board that he is suffering from an infirmity which prevents him from adequately defending himself in the pending disciplinary matter and that, therefore, transfer to

inactive status is warranted, without the necessity of further examination of Respondent Gima. Therefore,

IT IS HEREBY ORDERED that Respondent Preston A. Gima is transferred to inactive status in this jurisdiction, pursuant to RSCH Rules 2.19(b) and 2.19(c), effective with the filing of this order. Respondent Gima shall remain on inactive status until further order of this court, or until such time as, pursuant to RSCH Rule 2.19(f), he establishes to this court's satisfaction that he is fit to proceed with regard to the pending disciplinary proceedings.

IT IS FURTHER ORDERED that ODC shall suspend and hold in abeyance proceedings against Respondent Gima to the extent required by RSCH Rule 2.19(h).

IT IS FURTHER ORDERED that the Disciplinary Board shall, pursuant to RSCH Rule 2.19(d) (2021), cause a notice of this transfer to inactive status to be published.

IT IS FINALLY ORDERED that the clerk of the court, pursuant to RSCH Rule 2.19(e), shall transmit a certified copy of this order to all judges of the State of Hawai'i and shall request their assistance and such action as may be indicated to protect the interests of both Respondent Gima and his clients, if any.

DATED: Honolulu, Hawai'i, May 18, 2022.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

