

NO. 25406

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

IN THE MATTER OF

GERALD D'ARGIS

ORIGINAL PROCEEDING

ORDER DENYING APPLICATION FOR WRIT OF CERTIORARI

(By: Moon, C.J., Levinson, Nakayama,
Ramil, and Acoba, JJ.)

By letter dated September 20, 2002, Gerald D'Argis asks this court to "order up [his] entire record from the U.S. District Court, District of Honolulu and render a discretionary and declaratory review." We view the letter as an application for a writ of certiorari and note that, as the court of last resort for the State of Hawai'i, we have no authority to review actions by the United State District Court or the United States Court of Appeals for the Ninth Circuit. Therefore,

IT IS HEREBY ORDERED that the Clerk shall file Mr. D'Argis' letter as an application for a writ of certiorari. The Clerk shall not require payment of costs. See HRS § 607-3 (1993).

IT IS FINALLY ORDERED that the application is dismissed for lack of jurisdiction.

DATED: Honolulu, Hawai'i, October 21, 2002.