

NO. 27730

IN THE SUPREME COURT OF THE STATE OF HAWAII

K. HAMAKAHO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2006 MAR 28 PM 3:09

FILED

STATE OF HAWAII, Petitioner,

vs.

MICHAEL A. TOWN, Judge, Nineteenth Division, Circuit court of the First Circuit, State of Hawai'i, and RODNEY JOSEPH, JR., AND KEVIN GONSALVES, Respondents.

ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR A WRIT DIRECTED TO A JUDGE

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Circuit Judge Ibarra, in place of Duffy, J., recused)

Upon consideration of Petitioner State of Hawai'i's petition for a writ directed to a judge, the papers in support, and the records and files herein, it appears that: (1) Petitioner petitions this court to direct the respondent judge to vacate his order granting Defendants Rodney Joseph, Jr. and Kevin Gonsalves bail in State v. Joseph, Cr. No. 04-1-0077, presently pending in the Circuit Court of the First Circuit; and (2) Petitioner fails to demonstrate the respondent judge abused his discretion when he granted the motions for bail and set bail at \$1 million for each defendant. Therefore,

IT IS HEREBY ORDERED that the petition for a writ directed to a judge is denied.

DATED: Honolulu, Hawai'i, March 28, 2006.

Lucianne Khalaf,
deputy prosecuting attorney,
for petitioner, on the
motion

[Handwritten signatures: Joseph, Steven K. ...]
Dana A. Nakayama
[Handwritten signature]