

NO. 28861

IN THE SUPREME COURT OF THE STATE OF HAWAII

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LANNY SINKIN, Petitioner,

vs.

DEPARTMENT OF THE ATTORNEY GENERAL, Respondent.

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ORIGINAL PROCEEDING

ORDER

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

Upon consideration of petitioner Lanny Sinkin's petition for an order to show cause and the papers in support, it appears that the order to show cause sought by petitioner is not issuable by the supreme court pursuant to HRS §§ 602-5(a)(3) (Supp. 2006) and 710-1077 (1993) inasmuch HRS § 710-1077 does not confer the supreme court with original jurisdiction to issue an order to appear before the supreme court.

It further appears that the order to show cause sought by petitioner is not issuable by the supreme court pursuant to HRS §§ 602-5(a)(5) or (6) (Supp. 2006) inasmuch as the supreme court's jurisdiction in Sierra Club v. Department of Transportation (No. 27407) terminated on October 3, 2007 upon entry of the Judgment on Appeal and no other case concerning the Hawaii Superferry is pending before the supreme court. HRS § 602-5(a) (Supp. 2006) does not otherwise confer the supreme court

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with jurisdiction and power to issue the order to show cause sought by petitioner. Therefore,

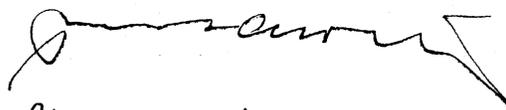
IT IS HEREBY ORDERED that the petition for an order to show cause is dismissed.

DATED: Honolulu, Hawai'i, December 7, 2007.



Steven H. Harrison

Paula A. Nakayama



Kamae Duggan, Jr.