

NO. 29405

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

DAVID V. WILLIAMS, JR., Petitioner,

vs.

DEPARTMENT OF PUBLIC SAFETY,
STATE OF HAWAI'I, Respondent.

K. HAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

2008 OCT 15 AM 11:15

FILED

ORIGINAL PROCEEDING

ORDER

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

Upon consideration of David V. Williams, Jr.'s motion for immediate release from imprisonment, which is deemed a petition for a writ of habeas corpus, it appears that habeas corpus relief is available to petitioner in the circuit court and petitioner presents no special reason for invoking the supreme court's original jurisdiction. See Oili v. Chang, 57 Haw. 511, 512, 557 P.2d 787, 788 (1976). Therefore,

IT IS HEREBY ORDERED that the clerk of the appellate court shall file the petition for a writ of habeas corpus without payment of the filing fee.

IT IS FURTHER ORDERED that the petition for a writ of habeas corpus is denied without prejudice to seeking habeas corpus relief in the circuit court.

IT IS FINALLY ORDERED that petitioner's motion for appointment of appellate counsel is dismissed without prejudice to filing the motion with the intermediate court of appeals in No. 29343.

DATED: Honolulu, Hawai'i, October 15, 2008.

[Handwritten signatures]
Kamea E. Duffy, Jr.