

NO. 29718

IN THE SUPREME COURT OF THE STATE OF HAWAII

RICHARD B. RAPOZO, Petitioner,

vs.

CLAYTON FRANK, DIRECTOR OF THE DEPARTMENT OF  
PUBLIC SAFETY, STATE OF HAWAII, Respondent.

NORMA T. YARA  
CLERK APPELLATE COURTS  
STATE OF HAWAII

2009 APR -9 PM 2:25

FILED

ORIGINAL PROCEEDING

ORDER

(By: Moon, C.J., Nakayama, Acoba, and Duffy, JJ.,  
and Intermediate Court of Appeals Judge Leonard,  
assigned by reason of vacancy)

Upon consideration of the petition for a writ of habeas corpus filed by petitioner Richard B. Rapozo, 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 process 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 pursuant to HRS § 660-3 (1993).

DATED: Honolulu, Hawai'i, April 9, 2009.

  
Paula L. Nakayama

  
James E. Duffy, Jr.  
