

NO. 29720

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MICHAEL C. TIERNEY, Petitioner,

vs.

THE HONORABLE DERRICK H.M. CHAN, JUDGE OF THE CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAI'I, Respondent.

ORIGINAL PROCEEDING
(CR. NOS. 88-2209 and 89-0024)

ORDER

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

K. HAMAKAORI
CLERK, APPELLATE COURT
STATE OF HAWAII
2009 APR 21 PM 3:49

FILED

Upon consideration of the motion for reconsideration of the April 7, 2009 order denying petitioner Michael C. Tierney's petition for a writ of mandamus and the papers in support, it appears that the circuit court's March 10, 2009 response to petitioner's bail inquiry was not the notice of bail forfeiture given by the circuit court pursuant to HRS § 804-51. Therefore,

IT IS HEREBY ORDERED that the motion for reconsideration is denied.

DATED: Honolulu, Hawai'i, April 21, 2009.



Derrick H.M. Chan



Michael C. Tierney

