

SUPREME COURT OF THE STATE OF HAWAI‘I

Zachary v. Employees' Retirement System

Zachary · No. SCWC-23-0000326 · Decided June 17, 2026

SUMMARY

The Supreme Court of Hawai‘i accepts Allan J. Zachary’s application for a writ of certiorari concerning the Employees’ Retirement System, State of Hawai‘i. The court orders that no oral argument will be heard unless a party moves for retention of oral argument under Hawai‘i Rules of Appellate Procedure Rule 34(c).

CASE DETAILS

COURT	Supreme Court of the State of Hawai‘i
WRITING FOR THE COURT	Vladimir P. Devens, Chief Justice; Sabrina S. McKenna, Justice; Todd W. Eddins, Justice; Lisa M. Ginoza, Justice; Michael K. Soong, Circuit Judge, assigned by reason of vacancy
JURISDICTION	Supreme Court of the State of Hawai‘i
DECIDED	June 17, 2026
DOCKET	SCWC-23-0000326
DISPOSITION	cert_granted
PROCEDURAL POSTURE	The Hawai‘i Supreme Court accepted Petitioner/Appellant-Appellant Allan J. Zachary’s application for a writ of certiorari from the Intermediate Court of Appeals and ordered that no oral argument would be heard unless a party moved for retention of argument under Hawai‘i Rules of Appellate Procedure Rule 34(c).
PRECEDENTIAL VALUE	Published procedural order; no merits holding stated.
PARTIES	Allan J. Zachary v. Employees’ Retirement System, State of Hawai‘i

TOPICS

- writ of certiorari
- appellate procedure
- appellate jurisdiction

PRACTICE AREAS

- appellate procedure
- administrative law

QUESTIONS PRESENTED

- 1. Whether to accept Allan J. Zachary’s application for a writ of certiorari.
- 2. Whether oral argument would be heard in the case absent a party’s motion under Hawai‘i Rules of Appellate Procedure Rule 34(c).

KEY QUOTATIONS

- “Petitioner/Appellant-Appellant Allan J. Zachary’s application for writ of certiorari filed on April 23, 2026, is accepted.” (at 1)
- “It is further ordered, that no oral argument will be heard in this case.” (at 1)

FACTUAL BACKGROUND

The order contains no substantive factual findings or discussion of the underlying dispute. It concerns only the Supreme Court’s acceptance of an application for a writ of certiorari and its determination regarding oral argument.

PROCEDURAL HISTORY

The matter was presented to the Hawai‘i Supreme Court on an application for writ of certiorari following proceedings in the Intermediate Court of Appeals and the Circuit Court of the Third Circuit. The Supreme Court accepted the application on June 17, 2026, and directed that the case proceed without oral argument absent a timely motion for retention.

DISPOSITION

cert_granted

OPINION

PER CURIAM.

Electronically Filed Supreme Court SCWC-XX-XXXXXXX 17-JUN-2026 10:04 AM SCWC-XX-XXXXXXX Dkt. 21 OGAC IN THE SUPREME COURT OF THE STATE OF HAWAI‘I ALLAN J. ZACHARY, Petitioner/Appellant-Appellant, vs. EMPLOYEES’ RETIREMENT SYSTEM, STATE OF HAWAI‘I, Respondent/Appellee-Appellee. CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CAAP-XX-XXXXXXX; CASE NO. 3CCV-XX-XXXXXXX) ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI (By: Devens, C.J., McKenna, Eddins, and Ginoza, JJ., and Circuit Judge Soong, assigned by reason of vacancy) Petitioner/Appellant-Appellant Allan J. Zachary’s application for writ of certiorari filed on April 23, 2026, is accepted.

It is further ordered, that no oral argument will be heard in this case. Any party may, within ten days and pursuant to Rule 34(c) of the Hawai‘i Rules of Appellate Procedure, move for retention

of oral argument. DATED: Honolulu, Hawai‘i, June 17, 2026. /s/ Vladimir P. Devens /s/ Sabrina S. McKenna /s/ Todd W. Eddins /s/ Lisa M. Ginoza /s/ Michael K. Soong

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