

SUPREME COURT OF THE STATE OF HAWAI‘I

State v. Kawashima

State v. Kawashima · No. SCPW-26-0000193 · Decided April 6, 2026

OPINION

PER CURIAM.

Electronically Filed Supreme Court SCPW-XX-XXXXXXX 06-APR-2026 01:16 PM Dkt. 7
ODDP SCPW-XX-XXXXXXX IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

STATE OF
HAWAI‘I, Petitioner, vs. THE HONORABLE JAMES S. KAWASHIMA, Judge of the Circuit
Court of the First Circuit, State of Hawai‘i, Respondent Judge, and TONY JOHNSON, also
known as Samuel Carter, Michael Carter, Tony Carter, “Chicago,” Respondent.

ORIGINAL
PROCEEDING (CASE NO. 1CPC-XX-XXXXXXX) ORDER DENYING PETITION (By:
McKenna, Acting C.J., Eddins, Ginoza, and Devens, JJ., and Circuit Judge Wong, assigned by
reason of vacancy) Upon consideration of the petition for extraordinary writ filed March 16, 2026,
and the record, including the records of 1CPC-XX-XXXXXXX and 1CPC-XX-XXXXXXX, we
discern that Respondent Judge excluded Manuel Thomas (Thomas) as a trial witness for Petitioner
State of Hawai‘i (State) for the following reasons: (1) the State violated Rule 16(b)(1)(vii) of the
Hawai‘i Rules of Penal Procedure by failing to provide Respondent with information by February
26, 2026, addressing Thomas’s availability to testify at trial; (2) the State’s failure to serve
Thomas the subpoena by February 26, 2026, prejudiced Respondent’s ability to prepare for trial;
and (3) allowing the State a continuance to subpoena Thomas in lieu of excluding Thomas as a
State witness was unjustified when the State had multiple opportunities to serve the subpoena on
Thomas at court hearings that occurred since September 30, 2025, in 1CPC-XX-XXXXXXX and
1CPC-XX-XXXXXXX, and Respondent has already declared ready for trial.

We conclude Petitioner has not established a flagrant and manifest abuse of discretion constituting
extraordinary circumstances to warrant a writ. See *Womble Bond Dickinson (US) LLP v. Kim*,
153 Hawai‘i 307, 319, 537 P.3d 1154, 1166 (2023). It is ordered that the petition is denied.
DATED: Honolulu, Hawai‘i, April 6, 2026. /s/ Sabrina S. McKenna /s/ Todd W. Eddins /s/ Lisa M.
Ginoza /s/ Vladimir P. Devens /s/ Paul B.K.

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