

**Electronically Filed
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No. SCPW-24-0000537

IN THE SUPREME COURT OF THE STATE OF HAWAII

HAWAII POLICE DEPARTMENT,
COUNTY OF HAWAII,

Petitioner,

and

THE HONORABLE PETER K.
KUBOTA, Judge of the Circuit Court of
the Third Circuit, State of Hawai'i,

Respondent.

ORIGINAL PROCEEDINGS

No. 3CSP-23-0000003

No. 3CSP-23-0000017

(Special Proceedings)

CIRCUIT COURT OF THE THIRD
CIRCUIT, STATE OF HAWAII

The Honorable Peter K. Kubota

MOTION FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF

PROPOSED *AMICUS CURIAE* BRIEF

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Pursuant to Hawai`i Rules of Appellate Procedure 27 and 28(g), Public First Law Center (Movant or Public First) moves this Court for leave to appear as *amicus curiae* and to file a brief, in the form attached.

Movant is a Hawai`i non-profit focused on solutions that promote transparency and responsiveness in government. Public First regularly represents members of the public in litigation concerning the Uniform Information Practices Act (Modified), Hawai`i Revised Statutes (HRS) chapter 92F (UIPA).

Movant has a compelling interest in how this Court interprets the UIPA. As Petitioner Hawai`i Police Department, County of Hawai`i (HPD) seeks to do in this petition, government agencies frequently conflate the UIPA and various discovery or other disclosure standards in ways that obstruct public access. As this Court has held, the UIPA is not a confidentiality law. Thus, the UIPA has no bearing on Respondent Judge Peter Kubota's authority in the underlying dispute here, which is not related to a UIPA request.

Movant respectfully requests that the Court grant its motion for leave to file an *amicus curiae* brief.

Dated: Honolulu, Hawai`i, August 8, 2024

Respectfully submitted,

/s/ Robert Brian Black

ROBERT BRIAN BLACK

Attorneys for Movant