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Electronically Filed
FIRST CIRCUIT
1CPC-19-0001369
08-OCT-2019
04:08 PM

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII

v.

EZEQUIEL H. ZAYAS,

Defendant.

CASE NO. 1CPC-19-0001369

BURGLARY IN THE FIRST DEGREE

MOTION FOR RECONSIDERATION;
DECLARATION OF COUNSEL;
EXHIBITS 1-5

Hearing Date: October 30, 2019

Hearing Time: 9:30 AM

Judge: The Honorable Rowena Somerville

MOTION FOR RECONSIDERATION

The STATE OF HAWAII (“the State”), by and through MICHAEL MINKIN, Deputy Prosecuting Attorney, City and County of Honolulu, State of Hawaii, and hereby respectfully moves this Honorable Court to reconsider its Order Granting Oral Motion for Supervised Release filed September 26, 2019.

This motion is based on the records and files of this case, Hawaii Rules of Penal Procedure

(“HRPP”) Rule 47, and the attached declaration hereto and incorporated by reference herein.

DATED: Honolulu, Hawaii, October 7, 2019

Respectfully Submitted,

STATE OF HAWAII

By DWIGHT K. NADAMOTO
Acting Prosecuting Attorney

By /s/ MICHAEL F. MINKIN

MICHAEL F. MINKIN
Deputy Prosecuting Attorney
City and County of Honolulu

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Defendant.

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DECLARATION OF COUNSEL

DECLARATION OF COUNSEL

I, MICHAEL MINKIN, declare that:

1. I am a Deputy Prosecuting Attorney for the City and County of Honolulu, State of Hawaii, assigned to the above-entitled case.
2. I have reviewed and am familiar with the procedural history of the instant case.
3. On September 26, 2019 Defendant was present before the Honorable Shirley M. Kawamura and was represented by Deputy Public Defender Alan Komagome. The State was represented by Deputy Prosecuting Attorney Dean Young.
4. On September 26, 2019 Defendant orally moved for, and over the State's objection, was granted Supervised Release to the Oahu Intake Service Center.
5. On October 4, 2019 the State was provided with documents recovered from digital devices in the home of Complaining Witnesses, documents which appear to have been created by Defendant and which demonstrate the danger posed by Defendant. See Exhibits 1-5.
6. Based on the newly available evidence, as well as any additional arguments and evidence adduced at hearing on this motion, the State respectfully moves this Honorable Court to reconsider its Order Granting Oral Motion for Supervised Release filed September 26, 2019.

Further declarant sayeth naught.

I declare under penalty of law that the foregoing is true and correct to the best of my knowledge and belief.

Executed on October 7, 2019.

/s/ MICHAEL MINKIN
MICHAEL MINKIN