

VIA ELECTRONIC FILING

January 26, 2026

Hon. Matthew J. Viola
Circuit Court of the First Circuit
State of Hawai'i
4675 Kapolei Parkway
Kapolei, HI 96707

Electronically Filed
FIRST CIRCUIT
1FFM-24-0000019
26-JAN-2026
02:13 PM
Dkt. 73 LT

Re: *In re Special Proceeding to Unseal Adoption Records (1FFM-24-18) and
In re Special Proceeding to Unseal Portions of Child Protective Act Proceeding
(1FFM-24-19)*

Dear Judge Viola:

We write regarding the above-captioned miscellaneous proceedings, which were initially sealed. On June 10, 2024, this Court ordered them to be unsealed in part, but stayed the order pending appeal. See 1FFM-24-18, Dkt. 65 at ¶¶ 91-93; 1FFM-24-19, Dkt. 59 at ¶¶ 81-83.

Appellate review has now concluded. Thus, it appears appropriate to effectuate the unsealing of these cases, including the dockets, by removal of the confidential case designation, so that the proceedings are publicly accessible on eCourt Kokua. Before the cases are unsealed, consistent with this Court's prior orders (modified to the extent affected by the Hawai'i Supreme Court's September 30, 2025 opinion), the following designations would need to be changed.

Remove "Sealed" Designation

- Public First's motions to unseal
 - 1FFM-24-18 Dkt. 1
 - 1FFM-24-19 Dkt. 1
- Court orders and party stipulations
 - 1FFM-24-18 Dkt. 7, 47
 - 1FFM-24-19 Dkt. 6, 41
- Statements filed by Nicole K. Cummings
 - 1FFM-24-18 Dkt. 37
 - 1FFM-24-19 Dkt. 31



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- Redacted briefs prepared by the Court for purposes of public disclosure
 - 1FFM-24-18 Dkt. 67, 69, 71
 - 1FFM-24-19 Dkt. 61, 63, 65

Add “Sealed” Designation

- Unredacted briefs for those redacted by the Court
 - 1FFM-24-18 Dkt. 21, 43, 49
 - 1FFM-24-19 Dkt. 19, 37, 43
- Redacted version of the Special Master’s report
 - 1FFM-24-18 Dkt. 75
 - 1FFM-24-19 Dkt. 69
 - This Court’s redactions do not align perfectly with the redactions made by the Hawai`i Supreme Court. *See* SCPW-24-464 Dkt. 98. Thus, this Court’s version should *not* be unsealed and should be designated as “sealed.”

Thank you for your attention to these matters. Please notify us if further action is necessary.

Respectfully,
/s/ Benjamin M. Creps
Benjamin M. Creps
Staff Attorney

cc: Counsel of Record (*via JEPS*)
Lehua Kalua (Oahu Community Correctional Center, 2199 Kamehameha Highway, Honolulu, Hawai`i 96819)
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