

FIRST CIRCUIT COURT  
STATE OF HAWAII  
FILED

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2026 AUG 31 10:39 AM

Electronically Filed  
FIRST CIRCUIT  
1CPC-25-0000373  
31-AUG-2026  
09:39 AM  
Dkt. 439 OT

*Attorneys for Nonparty-Objector Public First Law Center*

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII,

vs.

GERHARDT KONIG,

Defendant.

CR. NO. 1CPC-25-0000373

PUBLIC FIRST LAW CENTER'S  
OBJECTION TO DEFENDANT'S  
REQUEST TO CLOSE COURT  
PROCEEDINGS

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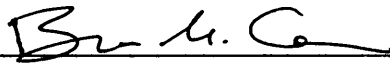
**PUBLIC FIRST LAW CENTER'S OBJECTION TO DEFENDANT'S  
REQUEST TO CLOSE COURT PROCEEDINGS**

Pursuant to the constitutional right of access provided by the First Amendment to the U.S. Constitution and article I, section 4 of the Hawai'i Constitution, nonparty Public First Law Center (Public First) objects to Defendant Gerhardt Konig's request to seal the courtroom during the questioning of jurors. Dkt. 435 at 2 (No. 4). Defendant has not overcome his burden to justify closure, as established in *Oahu Publications v. Ahn*. 133 Hawai'i 482, 498-504, 331 P.3d 460, 476-482 (2014).

Factually, *Ahn* is directly on point. In *Ahn*, the Hawai'i Supreme Court held that the trial court improperly closed the courtroom when questioning jurors — midtrial — about potential juror misconduct. “[P]retrial and post-trial examination of jurors should be held open to the public.” *Id.* at 501, 331 P.3d at 479.

Defendant's bare request has not articulated any specific facts that justify closing the courtroom for juror questioning. Accordingly, Public First respectfully asks the Court to deny Defendant's request to close court proceedings to the public.

DATED: Honolulu, Hawai'i, August 31, 2026

  
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