

**General Docket****United States Court of Appeals for the Ninth Circuit**

**Court of Appeals Docket #:** 14-16514 **Docketed:** 08/06/2014  
**Nature of Suit:** 3440 Other Civil Rights  
 Kirk Fisher v. Louis Kealoha, et al  
**Appeal From:** U.S. District Court for Hawaii, Honolulu  
**Fee Status:** Paid

**Case Type Information:**

- 1) civil
- 2) private
- 3) null

**Originating Court Information:**

**District:** 0975-1 : [1:11-cv-00589-ACK-BMK](#)

**Court Reporter:** Gloria Theresa Bediamol, Court Reporter

**Court Reporter:** Katherine Eismann

**Court Reporter:** Cynthia R. Ott

**Trial Judge:** Alan C. Kay, Senior District Judge

**Date Filed:** 09/28/2011

<b>Date Order/Judgment:</b>	<b>Date Order/Judgment EOD:</b>	<b>Date NOA Filed:</b>	<b>Date Rec'd COA:</b>
07/18/2014	07/18/2014	08/05/2014	08/05/2014

**Prior Cases:**

[12-17199](#) **Date Filed:** 10/02/2012 **Date Disposed:** 10/31/2012 **Disposition:** FRAP 42b  
 Dismissal

**Current Cases:**

None

KIRK C. FISHER

Plaintiff - Appellant,

Te-Hina Ickes, Esquire

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[COR LD NTC Retained]

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Alan Alexander Beck, Esquire, Attorney  
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San Diego, CA 92122

v.

LOUIS KEALOHA, as an individual and in his  
official capacity as Honolulu Chief of Police  
Defendant - Appellee,

Curtis Edwin Sherwood, Esquire, Deputy  
Corporation Counsel  
Direct: 808-768-5134  
[COR NTC County Counsel]  
CITY & COUNTY OF HONOLULU  
Corporation Counsel  
110  
530 South King Street  
Honolulu, HI 96813

PAUL PUTZULU, as an individual and in his  
official capacity as former acting Honolulu Chief of  
Police  
Defendant - Appellee,

D. Scott Dodd, Deputy Corporation Counsel  
Direct: 808-768-5129  
[COR LD NTC Dep County Counsel]  
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530 S. King St.  
Honolulu, HI 96813

CITY AND COUNTY OF HONOLULU  
Defendant - Appellee,

Curtis Edwin Sherwood, Esquire, Deputy  
Corporation Counsel  
Direct: 808-768-5134  
[COR NTC County Counsel]  
(see above)

KIRK C. FISHER,

Plaintiff - Appellant,

v.

LOUIS KEALOHA, as an individual and in his official capacity as Honolulu Chief of Police; PAUL  
PUTZULU, as an individual and in his official capacity as former acting Honolulu Chief of Police; CITY  
AND COUNTY OF HONOLULU,

Defendants - Appellees.

08/06/2014	<a href="#">1</a>	DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. SEND MQ: Yes. The schedule is set as follows: Mediation Questionnaire due on 08/13/2014. Transcript ordered by 09/04/2014. Transcript due 10/06/2014. Appellant Kirk C. Fisher opening brief due 11/13/2014. Appellees City and County of Honolulu, Louis Kealoha and Paul Putzulu answering brief due 12/15/2014. Appellant's optional reply brief is due 14 days after service of the answering brief. [9195338] (RT)
08/13/2014	<a href="#">2</a>	Filed (ECF) Appellant Kirk C. Fisher Mediation Questionnaire. Date of service: 08/13/2014. [9204077] (DLW)
08/14/2014	<a href="#">3</a>	Filed (ECF) notice of appearance of Alan Alexander Beck for Appellant Kirk C. Fisher. Date of service: 08/14/2014. [9205200] (AAB)
08/14/2014	4	Added attorney Alan Alexander Beck for Kirk C. Fisher, in case 14-16514. [9205341] (EL)
08/15/2014	<a href="#">5</a>	Filed Mediation order: This case is under consideration for inclusion in the Mediation Program. Within 14 days of the date of this order, counsel for all parties intending to file briefs in this matter are requested to inform the Circuit Mediator by email of their clients' views on whether the issues on appeal or the underlying dispute might be amenable to settlement presently or in the foreseeable future. This communication will be kept confidential, if requested... This communication should not be filed with the court... The existing briefing schedule remains in effect... [9206886] (VS)
09/05/2014	<a href="#">6</a>	Filed Mediation order: This case is not selected for inclusion in the Mediation Program. Counsel are requested to contact the Circuit Mediator should circumstances develop that warrant further settlement discussions. [9229593] (MS)
10/02/2014	<a href="#">7</a>	Filed (ECF) notice of appearance of Curtis E. Sherwood for Appellees City and County of Honolulu and Louis Kealoha. Date of service: 10/02/2014. [9264126] (CES)
10/03/2014	8	Attorneys D. Scott Dodd and Marguerite Nozaki in 14-16514 substituted by Attorneys Curtis Edwin Sherwood and Curtis Edwin Sherwood in 14-16514 [9264184] (CW)
10/03/2014	9	Terminated D. Scott Dodd for Louis Kealoha in 14-16514, Marguerite Nozaki for Louis Kealoha in 14-16514 [9264185] (CW)
10/03/2014	10	Added attorney Curtis Edwin Sherwood for Louis Kealoha, in case 14-16514. [9264186] (CW)
10/03/2014	<a href="#">11</a>	Filed (ECF) Appellant Kirk C. Fisher Correspondence: Notice of Unconstitutionality. Pursuant to FRAP 44 Mr. Fisher request that the Court inform the Attorney General of Hawaii that this appeal challenges the constitutionality of H.R.S. 134-7 as applied to Mr. Fisher.. Date of service: 03/10/2014 [9265125] (AAB)

10/15/2014	12	Terminated Marguerite Nozaki for Paul Putzulu in 14-16514 (No longer with agency) [9277652] (TL)
10/21/2014	<a href="#">13</a>	Sent letter to David M. Louie, Attorney General of Hawaii, re: In accordance with Federal Rule of Appellate Procedure 44 and 28 U.S.C. § 2403(b), we are certifying to the Attorney General of the State of Hawaii a constitutional challenge to a state statute raised in a pending appeal in which the State of Hawaii is not a party. The case is: Fisher v. Kealoha, no. 14-16514. The state statute at issue is: Hawaii Revised Statutes section 134-7. [9284645] (HH)
10/21/2014	14	Letter certifying to the Attorney General of Hawaii a constitutional challenge to a state statute served on David M. Louie, Attorney General of Hawaii, via Fedex. [9284658] (HH)