

NO. 30583

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

DANYELA CASTRO, Petitioner,

vs.

DISTRICT COURT OF THE FIRST CIRCUIT, WAHIAWA DIVISION,
STATE OF HAWAI'I, Respondent.

ORIGINAL PROCEEDING
(CASE NO. 1DTA-10-01758)

ORDER

(By: Moon, C.J., Nakayama, Acoba, Duffy, and Recktenwald, JJ.)

Upon consideration of the petition for a writ of mandamus and/or prohibition filed by petitioner Danyela Castro and the papers in support, it appears that petitioner, if convicted in Case No. 1DTA-10-01758, can seek review of any adverse rulings of the district court by appealing from the final judgment and can seek a stay of any sentence pending appeal pursuant to HRS § 641-14 (1993). Therefore, petitioner is not entitled to extraordinary relief. See Kema v. Gaddis, 91 Hawai'i 200, 204, 982 P.2d 334, 338 (1999) (A writ of mandamus and/or prohibition is an extraordinary remedy that will not issue unless the petitioner demonstrates a clear and indisputable right to relief and a lack of alternative means to redress adequately the alleged wrong or obtain the requested action. Such writs are not intended to supersede the legal discretionary authority of the lower courts, nor are they intended to serve as legal remedies in lieu of normal appellate procedures.). Accordingly,

IT IS HEREBY ORDERED that the petition for a writ of mandamus and/or prohibition is denied.

DATED: Honolulu, Hawai'i, July 12, 2010.