

**Electronically Filed
Supreme Court
SCPW-12-0000038
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NO. SCPW-12-0000038

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

JEAN A. KO, Petitioner,

vs.

THE HONORABLE MATTHEW J. VIOLA, JUDGE OF THE FAMILY
COURT OF THE FIRST CIRCUIT, STATE OF HAWAI'I and
JARRET H.C. KO, Respondents.

ORIGINAL PROCEEDING
(FC-D NO. 10-1-6819)

ORDER

(By: Recktenwald, C.J., Nakayama, Duffy, and McKenna, JJ.
and Circuit Judge Crandall, in place of Acoba, J., recused)

Upon consideration of petitioner Jean A. Ko's petition for a writ of mandamus and the papers in support, it appears that petitioner fails to demonstrate a clear and disputable right to relief and petitioner can seek relief from the respondent judge's pre-decree orders at the proceedings to finally divide and distribute the parties' estate. Therefore, petitioner is not entitled to mandamus relief. See Kema v. Gaddis, 91 Hawai'i 200, 204, 982 P.2d 334, 338 (1999) (A writ of mandamus 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.). Accordingly,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is denied.

DATED: Honolulu, Hawai'i, February 14, 2012.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna

/s/ Virginia L. Crandall

