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Supreme Court
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SCPW-14-0000340

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

A.B., Petitioner,

vs.

THE DISCIPLINARY BOARD OF THE SUPREME COURT
OF THE STATE OF HAWAI'I, Respondent.

ORIGINAL PROCEEDING
(ODC Case Nos. 11-009-8933, 11-042-8966)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

(By: Recktenwald, C.J., Nakayama, Acoba, McKenna, and Pollack, JJ.)

Upon consideration of the January 10, 2014 petition for a writ of mandamus submitted on behalf of Petitioner attorney "A.B." by attorney Samuel P. King, it appears the Petitioner has, by way of Rule 25(b) (iii) of the Rules of the Disciplinary Board, an alternate means to obtain relief and, therefore, that a petition for a writ of mandamus is inappropriate. See Kema v. Gaddis, 91 Hawai'i 200, 204-05, 982 P.2d 334, 338-39 (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). It further appears that, insofar as the Board has determined the imposition of a private, informal admonition might be appropriate in the present matter, it is reasonable to classify as confidential, until further order of this court, both the present petition and the underlying disciplinary proceedings. Accordingly,

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

IT IS FURTHER ORDERED that the Disciplinary Board, the Office of Disciplinary Counsel, and the clerk of this court shall classify the materials relating to A.B.'s disciplinary proceedings as confidential until further order of this court and, further, that A.B.'s motion to proceed anonymously is denied.

DATED: Honolulu, Hawai'i, February 12, 2014.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

