

**Electronically Filed
Supreme Court
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SCPW-14-0000416

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

MICHAEL C. TIERNEY, Petitioner,

vs.

COUNTY OF HAWAI‘I, Respondent.

ORIGINAL PROCEEDING
(Civ. No. 00-1-377)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Michael C. Tierney’s petition for a writ of mandamus, which was filed on February 4, 2014, and the record, it appears that petitioner is not entitled to the requested mandamus relief. Petitioner fails to demonstrate that he has a clear and indisputable right to the \$5,000 that he requests in the petition, and has alternative means of seeking 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 11, 2014.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

