

**Electronically Filed
Supreme Court
SCPW-17-0000661
24-OCT-2017
02:06 PM**

SCPW-17-0000661

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

HONOLULU CIVIL BEAT INC. and OAHU PUBLICATIONS INC., dba The
Honolulu Star-Advertiser, Petitioners,

vs.

HONOLULU POLICE COMMISSION, Respondent.

ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioners Honolulu Civil Beat Inc. and Oahu Publications Inc., dba The Honolulu Star-Advertiser's petition for writ of mandamus, filed on September 11, 2017, respondent Honolulu Police Commission's answer, filed on October 9, 2017, the respective supporting documents, and the record, it appears that, based on the record presented to this court, no information has been presented that demonstrates that a hearing pursuant to HRS §§ 52D-8 and -9 is currently pending or has been scheduled in which a police officer has requested a closed hearing under the policy that is at dispute in this proceeding. 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 writ of mandamus is denied.

DATED: Honolulu, Hawai'i, October 24, 2017.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

