

**Electronically Filed
Supreme Court
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SCPW-18-0000567

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

THADDAEUSS THOMPSON, Petitioner,

vs.

ACO SARKISSIAN ET AL., Respondents.

ORIGINAL PROCEEDING
(CIVIL NO. 18-1-0592-04)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Thaddaeuss Thompson’s petition for writ of mandamus, filed on July 17, 2018, the documents attached thereto and submitted in support thereof, and the record, it appears that petitioner fails to demonstrate that he has been deprived of adequate writing materials or supplies such that his right of access to the courts has been infringed or that he lacks alternative means to seek relief. Petitioner, therefore, is not entitled to the requested writ of mandamus. 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); Barnett v. Broderick, 84 Hawai'i 109, 111, 929 P.2d 1359, 1361 (1996) (mandamus relief is available to compel an official to perform a duty allegedly owed to an individual only if the individual's claim is clear and certain, the official's duty is ministerial and so plainly prescribed as to be free from doubt, and no other remedy is available). Accordingly,

IT IS HEREBY ORDERED that the clerk of the appellate court shall process the petition for writ of mandamus without payment of the filing fee.

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

DATED: Honolulu, Hawai'i, August 15, 2018.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

