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Supreme Court
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SCPW-18-0000652

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

THEA EKINS-COWARD and AMY EKINS-COWARD, Petitioners,

vs.

THE HONORABLE BERT I. AYABE, Judge of the Circuit Court of the
First Circuit, State of Hawai'i, Respondent Judge,

and

UNIVERSITY OF HAWAI'I, Respondent.

ORIGINAL PROCEEDING
(CIV. NO. 17-1-0036-01)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioners Thea Ekins-Coward and Amy Ekins-Coward's petition for writ of mandamus, filed on August 16, 2018, the documents attached thereto and submitted in support thereof, and the record, it appears that petitioners fail to demonstrate that they are entitled to the requested extraordinary writ. 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); Honolulu Advertiser, Inc. v. Takao, 59 Haw. 237, 241, 580 P.2d 58, 62 (1978) (a writ of mandamus is not intended to supersede the legal discretionary authority of the trial courts, cure a mere legal error, or serve as a legal remedy in lieu of normal appellate procedure). Accordingly,

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

DATED: Honolulu, Hawai'i, December 5, 2018.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

