

NO. 30636

IN THE SUPREME COURT OF THE STATE OF HAWAII

MICHAEL C. TIERNEY, Petitioner,

vs.

LOREN J. THOMAS, Deputy Prosecuting Attorney,
City and County of Honolulu, Respondent.

ORIGINAL PROCEEDING
(Cr. No. 08-1-0869)

ORDER

(By: Moon, C.J., Nakayama, Acoba, Duffy, and Recktenwald, JJ.)

Upon consideration of petitioner Michael C. Tierney's petition for a writ of mandamus, it appears that petitioner fails to demonstrate a clear and indisputable right to 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.). Therefore,

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

DATED: Honolulu, Hawai'i, August 2, 2010.

Fuina A. Nakayama

Kama E. Duffy, Jr.

Mar E. Recktenwald

EMERITUS
CLERK, APPELLATE COURTS
STATE OF HAWAII

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FILED