

NO. 30667

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

CHRIS GRINDLING, Petitioner,

vs.

SECOND CIRCUIT COURT, STATE OF HAWAI'I, Respondent.

K. H. MAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

2010 AUG 25 PM 1:10

FILED

ORIGINAL PROCEEDING
(S.P. No. 09-1-0081)

ORDER

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

Upon consideration of the petition for a writ of mandamus filed by petitioner Chris Grindling, it appears that petitioner is not entitled to mandamus relief. See HRS § 634J-7(c); In Re Disciplinary Bd. Of Hawaii Supreme Court, 91 Hawai'i 363, 368, 984 P.2d 688, 693 (1999) (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 a writ of mandamus without payment of the filing fee.

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

DATED: Honolulu, Hawai'i, August 25, 2010.

Paul A. Nakayama

James E. Duffy Jr