

NO. 30687

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MELVIN B. McQUEEN, JR., Petitioner,

vs.

TRAVIS J. L. STEPHENS, JR., DEPUTY PUBLIC DEFENDER, STATE OF HAWAI'I, Respondent.

JEAN R. KIKUNOTO
CLERK OF APPELLATE COURTS
STATE OF HAWAI'I

210 AUG 31 AM 10:26

FILED

ORIGINAL PROCEEDING

ORDER

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

Upon consideration of petitioner Melvin B. McQueen, Jr.'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 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 31, 2010.

Honorable Justice Moon

Honorable Justice Nakayama

Honorable Justice Acoba