

NO. 30340

IN THE SUPREME COURT OF THE STATE OF HAWAII

EMERSON  
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STATE OF HAWAII

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FILED

RICHARD B. GOODIN, Petitioner,

vs.

INTERMEDIATE COURT OF APPEALS, STATE OF HAWAII, Respondent.

ORIGINAL PROCEEDING  
(No. 29419)


ORDER


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

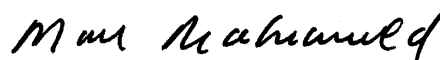
Upon consideration of petitioner Richard B. Goodin's petition for a writ of mandamus and the papers in support, it appears that the time provision of Rule 3 of the Rules of the Intermediate Court of Appeals was not triggered on June 15, 2009 in case No. 29419 inasmuch as the placement of the case on the ready calendar on June 15, 2009 did not denote that the case would be decided without oral argument, but denoted that briefing was completed. Therefore, petitioner is not entitled to mandamus 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.). Accordingly,

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

DATED: Honolulu, Hawai'i, February 24, 2010.

  
Funa A. Nakayama

  
James E. Duffy, Jr.

  
Mimi Nakayama