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Supreme Court
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NO. SCPW-12-0000698

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

FRANCIS GRANDINETTI, Petitioner,

vs.

THE HONORABLE SHUNICHI KIMURA and THE HONORABLE RIKI
MAY AMANO, JUDGES OF THE CIRCUIT
COURT OF THE THIRD CIRCUIT, STATE OF HAWAI'I, Respondents.

ORIGINAL PROCEEDING
(CR. NO. 93-0141)

ORDER DENYING PETITION FOR
WRIT OF HABEAS CORPUS AND WRIT OF MANDAMUS

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

Upon consideration of petitioner Francis Grandinetti's August 8, 2012 "Application for Habeas Corpus and Mandamus Remedy", which we review as a petition for a writ of habeas corpus and a writ of mandamus, the documents attached thereto and the record herein, it appears that petitioner is not entitled to habeas or mandamus relief. Petitioner presents no special reason for invoking the supreme court's original jurisdiction. See Oili v. Chang, 57 Haw. 411, 412, 557 P.2d 787, 788 (1976). Moreover, 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 habeas corpus and a writ of mandamus without payment of the filing fee.

IT IS FURTHER ORDERED that the petition is denied.

DATED: Honolulu, Hawai'i, September 6, 2012.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

