

FILED

2010 FEB 24 PM 2:05

ERIC ROMANCHO
CLERK, APPELLATE COURTS
STATE OF HAWAII

NO. 30341

IN THE SUPREME COURT OF THE STATE OF HAWAII

VINH H. NGUYEN, Petitioner,

vs.

THE HONORABLE ERIC G. ROMANCHAK, JUDGE OF THE FAMILY COURT OF THE SECOND CIRCUIT, STATE OF HAWAII, Respondent.

ORIGINAL PROCEEDING
(FC-D No. 05-1-0352)

ORDER




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

Upon consideration of petitioner Vinh V. Nguyen's January 4, 2010 letter to the Chief Justice, which we treat as a petition for a writ of mandamus, it appears that 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 clerk of the appellate court shall process petitioner's January 4, 2010 letter as a 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 without prejudice to seeking relief in the family court.

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


Anna C. Nakayama

James E. Duffy, Jr.

Mark Recktenwald