

**Electronically Filed
Supreme Court
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NO. SCPW-12-0000128

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

CHRIS GRINDLING, Petitioner,

vs.

THE HONORABLE JOSEPH E. CARDOZA, JUDGE OF THE CIRCUIT
COURT OF THE SECOND CIRCUIT, STATE OF HAWAI'I, Respondent.

ORIGINAL PROCEEDING

ORDER

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

Upon consideration of petitioner Chris Grindling's petition for a writ of mandamus, it appears that petitioner asserts that the respondent judge has ordered the clerks not to file a habeas corpus petition, but the assertion is not supported by any papers appended to the mandamus petition and the assertion cannot be independently confirmed by this court. Therefore, petitioner fails to demonstrate a clear and indisputable right to relief and 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.); HRAP 21(a) ("Copies of any order . . . that may be essential to an understanding of the matters set forth in the [mandamus] petition shall be attached to the petition."). 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, March 30, 2012.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna

