

Electronically Filed
Supreme Court
SCPW-12-0000797
05-OCT-2012
12:50 PM

NO. SCPW-12-0000797

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

CLIFTON M. HASEGAWA, Petitioner,

vs.

DAVID M. LOUIE, in his official capacity as Attorney General of the State of Hawai'i; JOHN F. MOLAY, in his official capacity as Deputy Attorney General, State of Hawai'i, and CARON M. INAGAKI, in her official capacity as Deputy Attorney General, State of Hawai'i, Respondents.

ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Clifton Hasegawa's August 29, 2012 e-mail to the Chief Justice, which was filed as a petition for a writ of mandamus on September 19, 2012, and the record, it appears that petitioner fails to demonstrate a clear and indisputable right to relief and a lack of alternative means to redress adequately the alleged wrong or obtain the requested action. Petitioner, therefore, 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 the petition for a writ mandamus without payment of the filing fee.

IT IS FURTHER ORDERED that the petition is denied.

IT IS FINALLY ORDERED that petitioner is directed to comply with the applicable court rules for filing documents in this court. This court will not file any further documents submitted by petitioner by e-mail.

DATED: Honolulu, Hawai'i, October 5, 2012.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

