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Supreme Court
SCPW-14-0000565
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SCPW-14-0000565

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent,

vs.

FAUSTINO TRANSFIGURACION, Petitioner.

ORIGINAL PROCEEDING

(SCWC-11-0000048; CAAP-11-0000048; CR. NO. 09-1-00126K)

ORDER DENYING PETITION FOR WRIT

(By: Recktenwald, C.J., Nakayama, McKenna, and Pollack, JJ., and
Circuit Judge Ayabe, assigned by reason of vacancy)

Upon consideration of petitioner Faustino Transfiguracion's letter seeking the court's assistance in recovering a letter written by his former wife and in returning him to Hawai'i, which was filed as a petition for a writ on March 18, 2014, the documents attached thereto and submitted in support thereof, and the record, it appears that petitioner is not entitled to an extraordinary writ. Petitioner fails to demonstrate that he has a clear and indisputable right to the requested relief and that he lacks alternative means to seek relief. See Kema v. Gaddis, 91 Hawai'i 200, 204, 982 P.2d 334,

338 (1999) (a writ for extraordinary relief is rarely granted; such a writ is generally issued only if 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 without payment of the filing fee.

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

DATED: Honolulu, Hawai'i, April 8, 2014.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Bert I. Ayabe

