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Supreme Court
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SCPW-14-0001359

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

SCARLETT A. TAYLOR, Petitioner,

vs.

THE HONORABLE GARY W.B. CHANG, JUDGE OF THE CIRCUIT
COURT OF THE FIRST CIRCUIT, Respondent Judge,

and

ELISA M. OMEECHEVARRIA, Respondent.

ORIGINAL PROCEEDING
(CIV. NO. 1CC 13-1-003006)

ORDER

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

Upon consideration of petitioner Scarlett A. Taylor's letter dated November 17, 2014 and received on November 18, 2014, which was filed as a petition for a writ of mandamus directed to Judge Gary W.B. Chang, it appears petitioner is seeking: (1) removal of Judge Gary W.B. Chang from presiding over Taylor v. Omeechevarria, Civil No. 13-1-003006, which is presently pending in the Circuit Court of the First Circuit and the appointment of another judge to hear the case; and (2) supreme court review of the appended motion/objections to a minute order dismissing the

circuit court case. From a review of the record, it further appears that there is a hearing scheduled on December 17, 2014, and petitioner can raise any objections to the minute order at that time and seek any further relief in the circuit court related to the issues raised in her letter. Petitioner also has a remedy by way of appeal from any adverse judgment. Therefore,

IT IS HEREBY ORDERED that the petition for a writ of mandamus directed to Judge Gary W.B. Chang is denied without prejudice to any remedy petitioner may have in the pending circuit court case and without prejudice to any remedy she may have by way of appeal from any adverse judgment. See Kema v. Gaddis, 91 Hawai'i 200, 204-05, 982 P.2d 334, 338-39 (1999)

(writs of mandamus are not meant to supersede the legal discretionary authority of the lower court, nor are they intended to serve as legal remedies in lieu of normal appellate procedures).

DATED: Honolulu, Hawai'i, December 11, 2014.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

