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Supreme Court
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SCPW-14-0001155

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

KHISTINA CALDWELL DEJEAN, Petitioner,

vs.

GARY W.B. CHANG, JUDGE OF THE FIRST CIRCUIT COURT,
STATE OF HAWAI‘I, Respondent Judge,

and

SCOTT T. NAGO, Chief Election Officer; OFFICE OF ELECTIONS;
AARON SCHULANER, General Counsel, Respondents.

ORIGINAL PROCEEDING
(CIV. NO. 14-1-001348)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of Petitioner Khistina Caldwell DeJean’s petition for a writ of mandamus, filed on October 3, 2014, the respective supporting documents, and the record, it appears that Petitioner fails to demonstrate that she has a clear and indisputable right to stop the 2014 general election and have her name included on the ballot as a candidate for governor. See Haw. Const. art. V, sec. 2 (“The lieutenant governor shall be

elected at the same time, for the same term and in the same manner as the governor[.]"); Hirono v. Peabody, 81 Hawai'i 230, 915 P.2d 704 (1996) (a candidate for governor must seek the nomination to the office with a candidate for lieutenant governor from the same political party); HRS § 12-8 (2009 & Supp. 2013). Petitioner, therefore, is not entitled to the requested writ of mandamus. 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 petition for a writ of mandamus is denied.

DATED: Honolulu, Hawai'i, October 23, 2014.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

