

**Electronically Filed
Supreme Court
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SCPW-15-0000555

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

DIANNA NALANI KUPAHU, Petitioner,

vs.

BERT I. AYABE, Judge of the Circuit Court
of the First Circuit, State of Hawai'i, Respondent Judge,

and

HALE AUPUNI COMMUNITY ASSOCIATION; JOHN DOES 1-50; JANE DOES 1-50; DOE PARTNERSHIPS 1-50; DOE CORPORATIONS 1-50; DOE ENTITIES 1-50; and DOE GOVERNMENTAL UNITS 1-50, Respondents.

ORIGINAL PROCEEDING
(CIVIL NO. 12-1-2882-11)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of Petitioner Dianna Nalani Kupahu's petition for a writ of mandamus, filed on August 3, 2015, the documents attached thereto and submitted in support thereof, and the record, it appears that Petitioner is not entitled to a writ of mandamus inasmuch as she fails to demonstrate that she has a clear and indisputable right to the requested relief or that she lacks alternative means to seek 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). Petitioner may, as appropriate, seek relief in an appeal from a final judgment entered relating to the foreclosure sale or in her pending appeal in CAAP-15-0000447. Accordingly,

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

DATED: Honolulu, Hawai'i, August 11, 2015.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

