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Supreme Court
SCPW-16-0000028
06-APR-2016
08:01 AM

SCPW-16-0000028

IN THE SUPREME COURT OF THE STATE OF HAWAII

CHRISTOPHER LEE SLAVICK, Petitioner,

vs.

GARY KAPLAN, FRANCIS SEQUEIRA, and MONICA CHUN
at the HALAWA CORRECTIONAL FACILITY, Respondents.

ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Christopher Lee Slavick's motion for writ of mandamus, filed on January 15, 2016, which we review as a petition for writ of mandamus, and the record, it appears that petitioner fails to demonstrate that he has a clear and indisputable right to copies of the requested documents without payment or that he has sought relief through any applicable administrative process. Petitioner, therefore, has not demonstrated that he is 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); Barnett v. Broderick, 84 Hawai'i 109, 111, 929 P.2d 1359, 1361 (1996) (mandamus relief is available to compel an official to perform a duty allegedly owed to an individual only if the individual's claim is clear and certain, the official's duty is ministerial and so plainly prescribed as to be free from doubt, and no other remedy is available). Accordingly,

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

IT IS HEREBY FURTHER ORDERED that the clerk of the appellate court shall process the petition for writ of mandamus without payment of the filing fee.

DATED: Honolulu, Hawai'i, April 6, 2016.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

