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Supreme Court
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SCPW-16-0000389

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

NELSON WAIKIKI, JR., Petitioner,

vs.

THE HONORABLE RHONDA LOO, JUDGE OF THE CIRCUIT COURT OF THE
SECOND CIRCUIT, STATE OF HAWAI'I, Respondent Judge,

and

STATE OF HAWAI'I, Respondent.

ORIGINAL PROCEEDING
(CR. NO. 13-1-0428)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of Petitioner Nelson Waikiki Jr.'s petition for writ of mandamus, filed on May 10, 2016, and the record, it appears that petitioner is seeking similar relief in the Intermediate Court of Appeals in CAAP-15-0000415 and fails to demonstrate that he is entitled to extraordinary relief from this court. See Kema v. Gaddis, 91 Hawai'i 200, 204-05, 982 P.2d 334, 338-39 (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); Honolulu Advertiser, Inc. v. Takao, 59 Haw. 237, 241,

580 P.2d 58, 62 (1978) (a writ of mandamus is not intended to supersede the legal discretionary authority of the trial courts, cure a mere legal error, or serve as a legal remedy in lieu of normal appellate procedure). Accordingly,

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

IT IS HEREBY FURTHER ORDERED that the appellate clerks' office shall file the petition for a writ of mandamus without payment of the filing fee.

DATED: Honolulu, Hawai'i, May 24, 2016.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

