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Supreme Court
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SCPW-16-0000443

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

NONOHE BOTELHO, Petitioner,

vs.

PROSECUTING ATTORNEY KEITH M. KANESHIRO; THE HONORABLE KAREN AHN;
STATE OF HAWAI'I; and MAKUOLA KEALIIKEKAI COLLINS, Respondents.

ORIGINAL PROCEEDING
(CR. NO. 11-1-0077)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Nonohe Botelho's petition for writ of mandamus, filed on June 1, 2016, the documents attached thereto and submitted in support thereof, and the record, it appears that petitioner fails to demonstrate that she has a clear and indisputable right to the relief requested. Petitioner, therefore, is not entitled to the requested extraordinary writ. 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; such a writ is meant to restrain a

judge of an inferior court who has exceeded his or her jurisdiction, has committed a flagrant and manifest abuse of discretion, or has refused to act on a subject properly before the court under circumstances in which he or she has a legal duty to act). Accordingly,

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

DATED: Honolulu, Hawai'i, June 20, 2016.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

