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Supreme Court
SCPW-16-0000483
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SCPW-16-0000483

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

DONALD COURTNEY BROWN, Petitioner,

vs.

THE HONORABLE MICHAEL K. TANIGAWA, JUDGE OF THE DISTRICT
COURT OF THE FIRST CIRCUIT, STATE OF HAWAI'I, Respondent Judge,

and

ASSOCIATION OF APARTMENT OWNERS OF PACIFIC HEIGHTS PARK PLACE, a
Hawai'i non-profit corporation, by its Board of Directors;
JOHN DOES 1-10; JANE DOES 1-10; DOE PARTNERSHIPS 1-10; DOE
ASSOCIATIONS 1-10; DOE CORPORATIONS 1-10; DOE ENTITIES 1-10;
and DOE GOVERNMENTAL UNITS 1-10, Respondents.

ORIGINAL PROCEEDING
(CIV. NO. 1RC16-1-3064)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Donald Courtney Brown's petition for an emergency writ of mandamus, filed on June 22, 2016, the documents attached thereto and submitted in support thereof, and the record, it appears that, at this time, petitioner is seeking relief in the Intermediate Court of Appeals in CAAP-16-0000485 and may seek further relief from any final order or judgment entered in the underlying action, as appropriate. Petitioner, therefore, fails to demonstrate that he is entitled to the requested emergency writ of mandamus. 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 a writ of mandamus is denied.

DATED: Honolulu, Hawai'i, June 30, 2016.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

