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Supreme Court
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SCPW-16-0000655

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

GABI KIM COLLINS, Petitioner,

vs.

THE HONORABLE VIRGINIA L. CRANDALL, JUDGE OF THE CIRCUIT
COURT OF THE FIRST CIRCUIT, STATE OF HAWAI'I, Respondent Judge,

and

THE ASSOCIATION OF APARTMENT OWNERS OF KEMOO BY THE LAKE; EKIMOTO
AND MORRIS, LLC; JOHN DOES 1-100; JANE DOES 1-100; DOE
PARTNERSHIPS 1-100; and DOE ASSOCIATIONS 1-100; Respondents.

ORIGINAL PROCEEDING
(CIV. NO. 13-1-2513-09)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Gabi Kim Collins's petition for an emergency writ of mandamus, filed on October 5, 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 requested relief and that she lacks alternative means to seek relief. Petitioner, therefore, is not entitled to an 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 writ of mandamus is denied.

DATED: Honolulu, Hawai'i, October 21, 2016.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

