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Supreme Court
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SCPW-16-0000710

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MICHAEL RUGGLES, Petitioners,

vs.

THE HONORABLE GREG K. NAKAMURA, Judge of the Circuit Court of the
Third Circuit, State of Hawai'i, Respondent Judge,

and

ATTORNEY GENERAL FOR THE STATE OF HAWAI'I and STATE OF HAWAI'I,
Respondents.

ORIGINAL PROCEEDING
(CR. NO. 15-1-0391)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Michael Ruggles's "Petition for Writ of Peremptory Mandamus," filed on October 24, 2016, the documents attached thereto and submitted in support thereof, and the record, it appears that petitioner fails to demonstrate that he has a clear and indisputable right to the requested relief or that he lacks alternative means to seek relief. Petitioner has challenged Hawai'i's medical cannabis laws in the underlying criminal case and, as appropriate, may raise the issues on appeal or in a subsequent action. Petitioner, therefore, is not entitled to the requested 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). Accordingly,

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

DATED: Honolulu, Hawai'i, November 4, 2016.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

