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Supreme Court
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SCPW-18-0000466

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

OKHOO HANES, Petitioner,

vs.

THE HONORABLE HILARY B. GANGNES, Judge of the
District Court of the First Circuit, Respondent Judge,

and

SCOTTRADE, INC. and ED BARAOIDAN, Respondents.

ORIGINAL PROCEEDING
(CIV. NO. 1SC17-1-2015)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS
AND/OR PROHIBITION

(By: Recktenwald, C.J., Nakayama, Pollack, and Wilson, JJ., and
Circuit Judge Browning, in place of McKenna, J., recused)

Upon consideration of petitioner Okhoo Hanes’s petition for writ of mandamus and/or prohibition, filed on June 1, 2018, the documents attached thereto and submitted in support thereof, and the record, it appears that petitioner fails to demonstrate that she is entitled to the requested relief sought by way of an extraordinary writ. See HRS §§ 633-27 and 633-28; Kema v. Gaddis, 91 Hawai‘i 200, 204, 982 P.2d 334, 338 (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 and a writ of prohibition are extraordinary remedies meant to, among other things, restrain a judge of an inferior court from acting beyond or in excess of his or her jurisdiction; they are not intended to supersede the legal discretionary authority of the trial courts or cure a mere legal error). Accordingly,

IT IS HEREBY ORDERED that the petition for writ of mandamus and/or prohibition is denied.

DATED: Honolulu, Hawai'i, June 15, 2018.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Richard W. Pollack

/s/ Michael D. Wilson

/s/ R. Mark Browning

