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Supreme Court
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SCPW-19-0000131

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

HENRIQUE D. KEEN and PRESILLA E. KEEN, Petitioners,

vs.

THE HONORABLE RHONDA I. L. LOO, Judge of the Circuit Court of the
Second Circuit, State of Hawai'i, Respondent Judge,

and

WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST AS
OWNER TRUSTEE OF THE RESIDENTIAL CREDIT OPPORTUNITIES TRUST III,
Respondent.

ORIGINAL PROCEEDING
(CIV. NO. 13-1-0784(1))

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

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

Upon consideration of petitioners Henrique D. Keen and Presilla D. Keen's petition for writ of prohibition, filed on March 5, 2019, the documents attached thereto and submitted in support thereof, and the record, it appears that petitioners fail to demonstrate that they are entitled to the requested writ of prohibition or that they lacked alternative means to seek relief. See Honolulu Advertiser, Inc. v. Takao, 59 Haw. 237, 241, 580 P.2d 58, 62 (1978) (a writ of prohibition "is an extraordinary remedy . . . to restrain a judge of an inferior court from acting

beyond or in excess of his jurisdiction"); Gannett Pac. Corp. v. Richardson, 59 Haw. 224, 226, 580 P.2d 49, 53 (1978) (a writ of prohibition is not meant to serve as a legal remedy in lieu of normal appellate procedures; rather, it is available in "rare and exigent circumstances" where "allow[ing] the matter to wend its way through the appellate process would not be in the public interest and would work upon the public irreparable harm"). Accordingly,

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

DATED: Honolulu, Hawai'i, March 11, 2019.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

