

**Electronically Filed
Supreme Court
SCPW-19-0000135
19-MAR-2019
01:47 PM**

SCPW-19-0000135

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

KAENA MOOSE, Petitioner,

vs.

THE HONORABLE PATRICIA MCMANAMAN, Judge of the District Court of
the First Circuit, State of Hawai'i, Respondent,

and

KEITH KANESHIRO, PROSECUTING ATTORNEY, Respondent.

ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF MANDAMUS
AND/OR WRIT OF PROHIBITION

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

Upon consideration of petitioner Kaena Moose's petition for writ of mandamus and/or prohibition, filed on March 5, 2019, the documents attached thereto and submitted in support thereof, and the record, it appears that, at this time and based on the record presented, petitioner fails to demonstrate that he is entitled to the requested writ of mandamus and/or writ of prohibition. See 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; it is meant to restrain a judge of an inferior court from acting beyond or in excess of his or her jurisdiction); Honolulu Adv., Inc. v. Takao, 59 Haw. 237, 241, 580 P.2d 58, 62 (1978) (a writ of prohibition is an extraordinary remedy that is meant to restrain a judge of an inferior court from acting beyond or in excess of his jurisdiction). Accordingly,

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

DATED: Honolulu, Hawai'i, March 19, 2019.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

