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Supreme Court
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SCPW-19-0000448

IN THE SUPREME COURT OF THE STATE OF HAWAII

CHRISTOPHER YOUNG, Petitioner,

vs.

THE HONORABLE HENRY T. NAKAMOTO, Judge of the Circuit Court of
the Third Circuit, State of Hawai'i, Respondent Judge,

and

POMAIKAI HOLDINGS, INC., dba RE/MAX PROPERTIES; et al.,
Respondents.

ORIGINAL PROCEEDING
(CIV. NOS. 17-1-0412 and 19-1-0047)

ORDER DENYING "NOTICE OF APPEAL TO THE STATE OF HAWAII
SUPREME COURT FROM ORDERS 5/8/2019 IN THE CIRCUIT COURT
OF THE THIRD CIRCUIT PURSUANT TO HRAP RULES 3(a)(1)(5),
21(a)(i)(ii)(iii), 24(b), & HRCP Rule 60(b)(3)"

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

Upon consideration of petitioner Christopher Young's
"Notice of Appeal to the State of Hawaii Supreme Court from
Orders 5/8/2019 in the Circuit Court of the Third Circuit
Pursuant to HRAP Rules 3(a)(1)(5), 21(a)(i)(ii)(iii), 24(b), &
HRCP Rule 60(b)(3)", which was filed in the third circuit court
on June 13, 2019 and in this court on June 20, 2019, the
documents attached thereto and submitted in support thereof, and
the record, it appears that petitioner is seeking writs of

mandamus and prohibition. Petitioner, however, fails to demonstrate that he entitled to the requested extraordinary relief. 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; a writ of mandamus is not intended to supersede the legal discretionary authority of the lower courts or serve as a legal remedy in lieu of normal appellate procedures); Honolulu Adv., Inc. v. Takao, 59 Haw. 237, 241, 580 P.2d 58, 62 (1978) (a writ of mandamus, therefore, is meant to restrain a judge of an inferior court from acting beyond or in excess of his or her jurisdiction); Gannett Pac. Corp. v. Richardson, 59 Haw. 224, 226, 580 P.2d 49, 53 (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 or her jurisdiction). Accordingly,

IT IS HEREBY ORDERED that the petition for writs of mandamus and prohibition is denied.

IT IS HEREBY FURTHER ORDERED that the appellate clerks' office shall process the petition for writs of mandamus and prohibition without payment of the filing fee.

DATED: Honolulu, Hawai'i, July 2, 2019.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

