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SCPW-19-0000687

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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ERIC LIGHTER, Petitioner,

vs.

THE OFFICE OF DISCIPLINARY COUNSEL, Respondent.

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ORIGINAL PROCEEDING

ORDER

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

Upon review of the October 9, 2019 petition for a writ of mandamus filed by Petitioner Eric Lighter, seeking relief against the Office of Disciplinary Counsel (ODC) with regard to its September 27, 2019 decision, following review and consultation with the Disciplinary Board of the Hawai‘i Supreme Court (Board), to close its investigations into the conduct of attorney Glenn N. Taga, in his capacity as trustee over the legal practice of deceased attorney Gary M. Tsuji, pursuant to Rule 2.20 of the Rules of the Supreme Court of the State of Hawai‘i (RSCH), and the October 16, 2019 motion by Petitioner

Lighter to transfer this matter to the Intermediate Court of Appeals, as an appeal from an agency decision, we note that ODC and the Board are “creatures of this court, created pursuant to the court’s inherent and constitutional authority to regulate the practice of law.” See In re Disciplinary Bd. of Hawai‘i Supreme Court, 91 Hawai‘i 363, 368, 984 P.2d 688, 693 (1999). Furthermore, there is nothing in the record to indicate ODC or the Board abused the discretion delegated to them by this court in their handling of the matter. See id. at 370, 984 P.2d at 695. Therefore,

IT IS HEREBY ORDERED that the motion to transfer is denied.

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

DATED: Honolulu, Hawai‘i, November 22, 2019.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

