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Supreme Court
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SCPW-19-0000807

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

TRACY YOSHIMURA, Petitioner,

vs.

THE HONORABLE JEFFREY P. CRABTREE, Judge of the Circuit Court of
the First Circuit, State of Hawai'i, Respondent Judge,

and

KEITH M. KANESHIRO, Respondent.

ORIGINAL PROCEEDING
(S.P. NO. 18-1-000465)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of Petitioner Tracy Yoshimura's
petition for writ of mandamus, filed on November 15, 2019, the
documents attached thereto and submitted in support thereof, and
the record, it appears that petitioner fails to demonstrate a
clear and indisputable right to the requested relief.

Petitioner, therefore, is not entitled to the requested writ of
mandamus. See Rev. Charter City & Cnty of Honolulu § 12-203;

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 Adv., Inc. v. Takao, 59 Haw. 237, 241, 580 P.2d 58, 62 (1978) (a writ of mandamus is meant 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 writ of mandamus is denied.

DATED: Honolulu, Hawai'i, December 12, 2019.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

/s/ Shirley M. Kawamura

