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Supreme Court
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SCPW-20-0000005

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

PINMEI WANG, Petitioner,

vs.

THE HONORABLE DEAN E. OCHIAI, Judge of the Circuit Court of the
First Circuit, State of Hawai'i, Respondent Judge,

and

ZHONG FANG aka JOHNSON FANG; MEI HU aka MICHELLE HU; JIAJIA WANG;
ZHE FANG; LAMEI FANG; HAWAII CITY PLAZA LP; HAWAII OCEAN PLAZA
LP; CALIFORNIA REGIONAL CENTER LLC; CALIFORNIA INVESTMENT
REGIONAL CENTER LLC, Respondents.

ORIGINAL PROCEEDING
(CIVIL NO. 1CCV-19-0002025)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Pinmei Wang's petition for writ of mandamus, filed on January 6, 2020, the documents attached thereto and submitted in support thereof, and the record, it appears that petitioner fails to demonstrate that she is entitled to the requested extraordinary relief from this court and that she lacks alternative means to seek relief. See Kema v. Gaddis, 91 Hawai'i 200, 204-05, 982 P.2d 334, 338-39 (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; where a court has discretion to act, mandamus will not lie to interfere with or control the exercise of that discretion, even when the judge has acted erroneously, unless the judge has exceeded his or her jurisdiction, has committed a flagrant and manifest abuse of discretion, or has refused to act on a subject properly before the court under circumstances in which he or she has a legal duty to act); Wong v. Fong, 60 Haw. 601, 604, 593 P.2d 386, 389 (1979) (ordinarily, a writ of mandamus is invoked in exceptional circumstances amounting to judicial usurpation of power); 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, January 17, 2020.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

