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Supreme Court
SCPW-20-0000006
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SCPW-20-0000006

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MICKEY A. MADDOX, Petitioner,

vs.

THE HONORABLE RHONDA I. L. LOO, Judge of the Circuit Court of the
Second Circuit, State of Hawai'i, Respondent Judge,

and

STATE OF HAWAI'I, Respondent.

ORIGINAL PROCEEDING

(SCWC-14-0001108; S.P.P. NO. 13-1-0004; CR. NO. 09-1-0284)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Mickey A. Maddox's petition for writ of mandamus, filed on January 6, 2020, the respondent State of Hawai'i's answer, filed on February 6, 2020, the respondent judge's response, filed on February 6, 2020, the respective supporting documents, and the record, it appears that the circuit court has granted the motion for new counsel and appointed new counsel to represent petitioner, the motion for disqualification/recusal is currently set for February 18, 2020,

at 8:15 a.m., and, as explained by the respondent judge, once the motion for disqualification/recusal has been decided, the evidentiary hearing will be set. Thus, based on the current state of the underlying record in this case, petitioner's request for extraordinary relief is not warranted. 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); Wong v. Fong, 60 Haw. 601, 604, 593 P.2d 386, 389 (1979) (an extraordinary writ will ordinarily be invoked in exceptional circumstances amounting to judicial usurpation of power). Accordingly,

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

DATED: Honolulu, Hawai'i, February 27, 2020.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

