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Supreme Court
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SCPW-20-0000361

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

SHEENA MAY WINNIE, Petitioner,

vs.

THE HONORABLE R. MARK BROWNING, Judge of the Circuit Court of the
First Circuit, State of Hawai'i, Respondent Judge,

and

RALPH EDWIN WINNIE, SR.; DESIREE ROSE POTEET;
RALPH E. WINNIE, JR.; RICHARD J. DIEHL, Kokua Kanawai;
ERIKA IRELAND, Special Conservator, Respondents.

ORIGINAL PROCEEDING
(CG NO. 1CG191000045)

ORDER DENYING PETITION FOR WRIT OF PROHIBITION/MANDAMUS
(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

Upon consideration of petitioner Sheena May Winnie's petition for writ of prohibition/mandamus, filed on May 6, 2020, the documents attached thereto and submitted in support thereof, and the record, it appears that the record presented to this court does not demonstrate that petitioner has a clear and indisputable right to the requested relief or lacks alternative means to seek relief. Petitioner, therefore, is not entitled to the requested extraordinary writ. See Kema v. Gaddis, 91 Hawai'i 200, 204-05, 982 P.2d 334, 338-39 (1999) (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). Accordingly,

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

DATED: Honolulu, Hawai'i, June 23, 2020.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

