

**Electronically Filed
Supreme Court
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SCPW-20-0000385

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

KRISTOPHER KEALOHA, Petitioner,

vs.

THE HONORABLE FAAUUGA TO‘OTO‘O, Judge of the Circuit Court of the
First Circuit, State of Hawai‘i, Respondent Judge,

and

STATE OF HAWAI‘I, Respondent.

ORIGINAL PROCEEDING
(CR. NOS. 1CPC-18-0001728 and 1CPC-19-0000390)

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

Upon consideration of petitioner Kristopher Kealoha’s petition for writ of mandamus, filed on May 21, 2020, and the record, it appears that petitioner fails to demonstrate that he has a clear and indisputable right to be released from custody and petitioner may seek relief in his underlying criminal cases, as provided by law. Petitioner, therefore, is not entitled to the requested extraordinary relief. 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). Accordingly,

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

IT IS HEREBY FURTHER ORDERED that the clerk of the appellate court shall process the petition for writ of mandamus without payment of the filing fee.

DATED: Honolulu, Hawai'i, June 5, 2020.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

