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Supreme Court
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SCPW-20-0000544

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

PHILLIP J. BARKER, Petitioner,

vs.

CHRISTOPHER YOUNG, Administrator,
Hawai‘i Criminal Justice Data Center, Respondent.

ORIGINAL PROCEEDING
(Case No. 1CSP-20-0000183)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

(By: Recktenwald, C.J., Nakayama, McKenna, and Wilson, JJ.,
and Circuit Judge To‘oto‘o, assigned by reason of vacancy)

Upon consideration of petitioner Phillip J. Barker’s petition for writ of mandamus, filed on September 2, 2020, the document attached thereto and submitted in support thereof, and the record, it appears that petitioner fails to demonstrate that he is entitled to the requested extraordinary writ from this court. 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); Barnett v. Broderick, 84 Hawai'i 109, 111, 929 P.2d 1359, 1361 (1996) (with respect to a public official, mandamus relief is available to compel an official to perform a duty allegedly owed to an individual only if the individual's claim is clear and certain, the official's duty is ministerial and so plainly prescribed as to be free from doubt, and no other remedy is available). 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, September 30, 2020.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Fa'auuga To'oto'o

