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Supreme Court
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SCPW-20-0000699

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

CHRIS SLAVICK, Petitioner,

vs.

STATE OF HAWAI'I, Respondent.

ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

(By: Recktenwald, C.J., Nakayama, J., and
Circuit Judge Ashford, assigned by reason of vacancy,
with Wilson, J., dissenting, with whom McKenna, J., joins)

Upon consideration of petitioner Chris Slavick's petition for writ of mandamus, filed on November 6, 2020, the documents attached thereto and submitted in support thereof, and the record, it appears that petitioner fails to demonstrate that he has a clear and indisputable right to relief and that he 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, 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, December 4, 2020.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ James H. Ashford



DISSENT

I dissent in that I would require an answer pursuant to Hawai'i Rules of Appellate Procedure Rule 21(c).

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson