

**Electronically Filed
Supreme Court
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SCPW-20-0000756

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

ALEXANDER Y. MARN, as Trustee of the Revocable Living Trust
Agreement of Alexander Y. Marn, and
ALEXANDER Y. MARN, an individual, Petitioner,

vs.

THE HONORABLE JAMES H. ASHFORD,
Judge of the Circuit Court of the First Circuit,
State of Hawai‘i, Respondent Judge.

ORIGINAL PROCEEDING
(CIVIL NO. 98-5371-12)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Alexander Y. Marn’s petition for writ of mandamus, filed on December 14, 2020, the documents 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. See Kema v. Gaddis, 91 Hawai‘i 200, 204-05, 982 P.2d 334, 338-39 (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; such a writ is meant to restrain a judge of an inferior court who 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 mandamus is denied.

IT IS HEREBY FURTHER ORDERED that the pending motion is dismissed.

DATED: Honolulu, Hawai'i, January 4, 2021.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

