

**Electronically Filed
Supreme Court
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SCPW-21-0000176

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

ADAM E. FLORENCE, JR., Petitioner,

vs.

THE HONORABLE MICHAEL D. WILSON,
Associate Justice of the Supreme Court,
State of Hawai‘i, Respondent Justice.

ORIGINAL PROCEEDING
(CR. NO. 1PC101000455)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS
(By: Recktenwald, C.J., Nakayama, McKenna, and Eddins JJ.,
and Circuit Judge Kawano, in place of Wilson, J., recused)

Upon consideration of petitioner Adam E. Florence, Jr.'s petition for writ of mandamus, filed on March 22, 2021, 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 the requested relief from this court and has alternative means to seek relief, including seeking relief pursuant to Hawai‘i Rules of Penal Procedure Rule 40 as provided by law. 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 fees.

DATED: Honolulu, Hawai'i, April 7, 2021.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Kelsey T. Kawano

