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SCPW-21-0000373

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

FRANCIS P. GRANDINETTI, Petitioner,

vs.

THE HONORABLE PETER K. KUBOTA, Judge of the Circuit Court of the
Third Circuit, State of Hawai‘i, Respondent Judge.

ORIGINAL PROCEEDING
(CASE NO. 3PC930000141)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Francis P.

Grandinetti's petition for writ of mandamus, filed on June 18, 2021, and the record, petitioner fails to demonstrate a clear and indisputable right to relief from this court and may seek relief in the underlying proceeding. 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; such writs are not

intended to supersede the legal discretionary authority of the lower courts, nor are they intended to serve as legal remedies in lieu of normal appellate procedure). Petitioner is reminded that he should seek the assistance of his counsel in pursuing any relief. 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, June 28, 2021.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

