

**Electronically Filed  
Supreme Court  
SCPW-21-0000450  
14-MAR-2022  
12:23 PM  
Dkt. 30 ODDP**

SCPW-21-00000450

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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JOHN TIMOTHY BURGESS, Petitioner

vs.

DEPARTMENT OF HUMAN SERVICES, ET AL., Respondents.

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ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of the petition for writ of mandamus, filed on March 11, 2022, petitioner fails to demonstrate that he is entitled to the requested extraordinary relief. 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 a writ is not intended to supersede the legal discretionary authority of the trial courts, cure a mere legal error, or serve as a legal remedy in lieu of normal appellate procedures). Therefore,

It is ordered that the petition for writ of mandamus is denied.

It is 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, March 14, 2022.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

