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SCPW-22-0000330

IN THE SUPREME COURT OF THE STATE OF HAWAII

IN RE LARRY E. PAGAN

ORIGINAL PROCEEDING
(CR. NOS. 1PC860000060, 1PC870000052, 1PC900002148, 1PC920001756)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS
(By: Recktenwald, C.J., Nakayama, McKenna, Wilson, and Eddins, JJ.)

Upon consideration of Larry E. Pagan's (petitioner's) letter filed on May 16, 2022, which we construe as a petition for writ of mandamus, and the record, petitioner fails to demonstrate a clear and indisputable right to the requested relief and that he lacks alternative means to seek relief. Petitioner may seek relief in the circuit court by filing a Hawai'i Rules of Penal Procedure Rule 40 Petition, as appropriate. An extraordinary writ is not warranted. See Kema v. Gaddis, 91 Hawai'i 200, 204, 982 P.2d 334, 338 (1999) (explaining that 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 ordered that the petition for writ of mandamus is denied.

It is further ordered that the clerk of the appellate court shall process the submission without payment of the filing fees.

DATED: Honolulu, Hawai'i, June 9, 2022.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

