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Supreme Court  
SCPW-22-0000354  
09-JUN-2022  
01:46 PM  
Dkt. 6 ODDP

SCPW-22-0000354

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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IN RE NICHOLAS K. NICHOLS

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ORIGINAL PROCEEDING  
(SCWC-12-0000043; CAAP-12-0000043; SPP NO. 11-1-0053  
(CR. NOS. 08-1-1354 AND 08-1-1762))

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

Upon consideration of Nicholas K. Nichols’  
(petitioner’s) letter filed on May 23, 2022, which we construe as  
a petition for writ of mandamus, and the record, petitioner fails  
to demonstrate a clear and indisputable right to relief and that  
he lacks alternative means to seek relief. Petitioner may seek  
relief in the circuit court by filing another HRPP Rule 40  
petition. 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

