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Supreme Court
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SCPW-22-0000354

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

IN RE NICHOLAS K. NICHOLS

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

