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SCPW-22-0000674

IN THE SUPREME COURT OF THE STATE OF HAWAII

GEORGE NAOI RICHARDSON, NEIL MAUNAKEA RICHARDSON, and NINIA
RICHARDSON-ALDRICH, Petitioners,

vs.

THE HONORABLE KARIN HOLMA,
Judge of the Circuit Court of the First Circuit,
State of Hawaii, Respondent Judge.

ORIGINAL PROCEEDING
(CASE NO. 1CTR-21-0000043)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS
AND FOR WRIT TO STAY THE SALE OF PROPERTY

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

Upon consideration of petitioners George Naoi Richardson, Neil Maunakea Richardson, and Ninia Richardson-Aldrich's petition for writ of mandamus, and for writ to stay the sale of property, filed on November 1, 2022, and the record, the extraordinary writ requested by petitioners is not warranted.

Petitioners failed to demonstrate a clear and indisputable right to the relief requested and a lack of other means to

redress adequately the alleged wrong or to obtain the requested action. Kema v. Gaddis, 91 Hawai i 200, 204, 982 P.2d 334, 338 (1999).

The decision of whether to enter the written order under Rule 20(a) of the Hawai'i Probate Rules (HPR) is within the discretion of the court. In re Est. of Kam, 110 Hawai'i 8, 24, 129 P.3d 511, 527 (2006). And, any purported error in the court's exercise of this discretion should be raised on appeal, not mandamus. Moreover, the failure of the court to enter a written order under HPR Rule 20(a) does not divest the court of its statutory jurisdiction.

IT IS ORDERED that the petition for writ of mandamus and for writ to stay the sale of property is denied.

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

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

