

**Electronically Filed  
Supreme Court  
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SCPW-23-0000422

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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LILLIAN HUSSEIN,  
Petitioner,

vs.

THE HONORABLE SUMMER M.M. KUPAU-ODO,  
Judge of the District Court of the First Circuit,  
State of Hawai‘i, Respondent Judge,

and

OAHU PROPERTY SOLUTIONS, LLC,  
a Nevada Limited Liability Company,  
Respondent.

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ORIGINAL PROCEEDING  
(1DRC-23-0000888)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS AND/OR PROHIBITION  
AND DENYING MOTION FOR EMERGENCY STAY

(By: Recktenwald, C.J., McKenna, and Eddins, JJ.,  
Circuit Judge Morikawa and Circuit Judge Johnson,  
assigned by reason of vacancies)

Upon consideration of the petition and motion filed on July 11, 2023, and the record, the Respondent Judge had jurisdiction to consider whether the district court had jurisdiction, and it was within the Respondent Judge’s discretion to grant or deny

the motion to dismiss. A writ of mandamus or prohibition is not intended to supersede the discretionary authority of a district court judge. See Kema v. Gaddis, 91 Hawai‘i 200, 204-05, 982 P.2d 334, 338-39 (1999); Honolulu Advertiser, Inc. v. Takao, 59 Haw. 237, 241, 580 P.2d 58, 62 (1978).

A writ of mandamus or prohibition is also not intended to be used in lieu of normal appellate procedures. See Kema, 91 Hawai‘i at 204, 982 P.2d at 338; Takao, 59 Haw. at 241, 580 P.2d at 62. Petitioner had alternative means to seek relief by pursuing an appeal. See Hawai‘i Revised Statutes § 641-1(a); Hawai‘i Rules of Appellate Procedure (HRAP) Rule 4(a)(1).

It is ordered that the petition is denied.

It is further ordered that the motion for emergency stay is denied. See District Court Rules of Civil Procedure Rule 62; HRAP Rule 8; Kelepolo v. Fernandez, 148 Hawai‘i 182, 192 & n.19, 468 P.3d 196, 206 & n.19 (2020).

DATED: Honolulu, Hawai‘i, July 25, 2023.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Trish K. Morikawa

/s/ Ronald G. Johnson

