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SCPW-23-0000467

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

SUSAN KURATA and WILLIE KURATA, Petitioners,

vs.

THE HONORABLE WILLIAM M. DOMINGO,
Judge of the District Court of the First Circuit,
State of Hawai'i, Respondent Judge,

and

CENTURY 21 PARADISE INTERNATIONAL,
Managing Agent, Respondent.

ORIGINAL PROCEEDING
(CASE NO. 1DRC-23-0000224)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS WITHOUT PREJUDICE

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

Upon consideration of the petition filed on August 7, 2023, and the record, Petitioners Susan Kurata and Willie Kurata have not demonstrated a lack of alternative means to seek relief because they have not yet sought a stay from the Intermediate Court of Appeals (ICA) pursuant to Hawai'i Rules of Appellate Procedure Rule 8. See Kema v. Gaddis, 91 Hawai'i 200, 204-05,

982 P.2d 334, 338-39 (1999). In doing so, Petitioners could also seek a temporary stay from the ICA pending disposition of their motion for stay.

It is ordered that the petition is denied without prejudice.

DATED: Honolulu, Hawai'i, August 14, 2023.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Kevin A.K. Souza

/s/ Lisa W. Cataldo

