

**Electronically Filed
Supreme Court
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SCPW-23-0000442

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

SHAWN J. MEDEIROS, Petitioner,

vs.

THE HONORABLE JAMES R. ROUSE,
Presiding Judge of the Circuit Court of the Second Circuit,
State of Hawai‘i, Respondent Judge,

and

STATE OF HAWAI‘I, Respondent.

ORIGINAL PROCEEDING
(CASE NO. 2CPC-22-0000677)

ORDER DENYING PETITION

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

Upon consideration of petitioner Shawn J. Medeiros’s letters filed on July 25, 2023 as a petition for writ of mandamus, and the record, the court declines to entertain the petition and, as set forth herein, the petition is denied. See Hawai‘i Rules of Appellate Procedure 21(c) (eff. 2010).

Under Hawai'i Revised Statutes (HRS) § 804-9 (Supp. 2021), the trial court has broad discretion to establish a reasonable bail amount based on a balance of factors. Accordingly, Medeiros's grievances related to the denial of his motion to reduce bail are without merit to the extent a writ of mandamus is not meant to be used to supersede a judge's discretionary authority. See Kema v. Gaddis, 91 Hawai'i 200, 204, 982 P.2d 334, 338 (1999).

As for Medeiros's grievances related to the findings of fact, conclusions of law, and order denying Medeiros's motion to suppress evidence, Medeiros has adequate means to redress the relief requested by appeal from the judgment entered in 2CPC-22-0000677. See HRS § 641-11 (2016). Accordingly, denial of the petition as to this ground is warranted because a writ of mandamus is not "meant to serve as legal remedies in lieu of normal appellate procedures" and such a writ will not issue unless the petitioner establishes a "lack of other means to redress adequately the alleged wrong or obtain the requested action." See Kema, 91 Hawai'i at 204, 982 P.2d at 338. Medeiros failed to carry this burden.

Finally, it cannot be said that the respondent judge committed a flagrant and manifest abuse of discretion in denying Medeiros's motion to reduce bail, motion for temporary release,

and motion to suppress evidence. See id. at 205, 982 P.2d at 339.

In conclusion, the court finds that all arguments made by Medeiros to support his petition are without merit. See id.

It is ordered:

1. The petition is denied without prejudice;
2. The clerk of the appellate court shall process the petition without payment of the filing fee.
3. In response to Medeiros's request to initiate a formal complaint against the respondent judge, the appellate clerk shall transmit a copy of the petition to the Commission on Judicial Conduct (CJC) for such action as the CJC deems appropriate, with a copy transmitted to Medeiros's last known address at Maui Community Correctional Center, 600 Waiale Drive, Wailuku, HI 96793.

Dated: Honolulu, Hawai'i, October 2, 2023.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Peter K. Kubota

/s/ Kevin T. Morikone

