

**Electronically Filed
Supreme Court
SCPW-23-0000580
17-NOV-2023
01:05 PM
Dkt. 6 ODDP**

SCPW-23-0000580

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

FALEUPOLU ESEKIA, Petitioner,

vs.

THE HONORABLE JEANNETTE H. CASTAGNETTI,
Judge of the Circuit Court of the First Circuit,
State of Hawai‘i, Respondent Judge,

and

PUU HELEAKALA COMMUNITY ASSOCIATION, by and through its Board of
Directors, ALAPATI ESEKIA, PHKK PROPERTIES LLC, a Company or
Corporation, DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee
under Pooling and Servicing Agreement dated as of March 1, 2007
Securitized Asset Backed Receivables LLC, Respondents.

ORIGINAL PROCEEDING
(CASE NO. 1CCV-22-0000740)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS
(By: Recktenwald, C.J., McKenna, and Eddins, JJ.,
Circuit Judge Johnson and Circuit Judge Tonaki,
assigned by reason of vacancies)

Upon consideration of the documents filed on October 13,
2023, which we construe as a petition for writ of mandamus, and
the record, a writ of mandamus is not intended to be used to

supersede the circuit court's discretion when ruling on pending matters before it, nor be used in lieu of normal appellate procedures. See Kema v. Gaddis, 91 Hawai'i 200, 204-05, 982 P.2d 334, 338-39 (1999). An extraordinary writ is not warranted.

It is ordered that the petition is denied.

DATED: Honolulu, Hawai'i, November 17, 2023.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Ronald G. Johnson

/s/ John M. Tonaki

