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SCPW-24-0000183, SCPW-24-0000330, and SCPW-24-0000655

IN THE SUPREME COURT OF THE STATE OF HAWAII

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SCPW-24-0000183

CAMERON NICE and MARTHA NICE,  
Petitioners,

vs.

THE HONORABLE ANNE E. LOPEZ,  
Attorney General, Department of the Attorney General,  
State of Hawai'i, Respondent.

(5CCV-22-0000027)

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SCPW-24-0000330

CAMERON NICE and MARTHA NICE,  
Petitioners,

vs.

THE HONORABLE KATHERINE G. LEONARD,  
Acting Chief Judge of the Intermediate Court of Appeals;  
THE HONORABLE KAREN T. NAKASONE, Associate Judge of the  
Intermediate Court of Appeals; and  
THE HONORABLE SONJA M.P. MCCULLEN, Associate Judge of the  
Intermediate Court of Appeals, State of Hawai'i,  
Respondent Judges.

(CAAP-24-0000014; CAAP-24-0000015)

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SCPW-24-0000655

CAMERON NICE and MARTHA NICE,  
Petitioners,

vs.

THE HONORABLE RANDAL VALENCIANO,  
Judge of the Circuit Court of the Fifth Circuit,  
State of Hawai'i, Respondent Judge.

(5CCV-22-0000027)

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ORIGINAL PROCEEDINGS

ORDER DENYING PETITIONS FOR WRIT OF MANDAMUS

(By: Recktenwald, C.J., McKenna, Ginoza, and Eddins, JJ.,  
and Circuit Judge Kawamura, in place of Devens, J., recused)

Upon consideration of the petitions for a writ of mandamus filed in SCPW-24-0000183 on March 20, 2024, SCPW-24-0000330 on April 24, 2024, and SCPW-24-0000655 on October 8, 2024, and the records of these SCPW cases and other cases,<sup>1</sup> Petitioners have repeatedly sought extraordinary relief from this court concerning the same case (5CCV-22-0000027). In these prior petitions, Petitioners have repeatedly levied accusations of bias, discrimination, and retaliation against Judge Valenciano. This court has denied those petitions. See SCPW-23-0000056 docket 16; SCPW-23-0000441 docket 14; SCPW-23-0000711 docket 37.

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<sup>1</sup> 5CCV-22-0000027, 5CCV-24-0000097, CAAP-24-0000014, CAAP-24-0000015, SCPW-23-0000056, SCPW-23-0000441, and SCPW-23-0000711.

The petitions filed in this consolidated proceeding is more of the same against Judge Valenciano and concerning the same case, 5CCV-22-0000027. Except Petitioners have now levied similar accusations against the Attorney General of the State of Hawai'i and the Judges of the Intermediate Court of Appeals. We deny the requested writs in these three SCPW cases.

In SCPW-24-0000183, whether an investigation and prosecution should occur is discretionary for the Attorney General of the State of Hawai'i. See State v. Yokota, 143 Hawai'i 200, 206, 426 P.3d 424, 430 (2018). An extraordinary writ is not used to interfere with the discretionary authority of a public official. See Barnett v. Broderick, 84 Hawai'i 109, 111, 929 P.2d 1359, 1361 (1996); Salling v. Moon, 76 Hawai'i 273, 274 n.3, 874 P.2d 1098, 1099 n.3 (1994).

In SCPW-24-0000330, Petitioners seek an extraordinary writ against three Judges of the Intermediate Court of Appeals that, among other things, accuse them of not following the Hawai'i Revised Code of Judicial Conduct and being "complicit to the crime of" fraud and "theft of \$50,000 perpetrated by Judge Valenciano" because these Judges have not corrected an alleged "Appellate Court Clerk Fraud" and have not reported alleged judicial and attorney fraud. We deny the requested writ. See Womble Bond Dickinson (US) LLP v. Kim, 153 Hawai'i 307, 319, 537

P.3d 1154, 1166 (2023); see also Hawai‘i Revised Statutes § 602-59 (2016 & Supp. 2017); Hawai‘i Rules of Appellate Procedure Rule 40.1 (eff. 2023).

In SCPW-24-0000655, Petitioners again seek a writ that vacates Judge Valenciano’s various orders in 5CCV-22-0000027, including the contempt order. The same issues were raised in other SCPW cases, including SCPW-23-0000711. We again deny the requested writ.

It is ordered:

1. The petitions for writ of mandamus filed in SCPW-24-0000183, SCPW-24-0000330, and SCPW-24-0000655 are denied.

2. With the exception of a single motion for reconsideration of this order, if any, the appellate clerk shall not accept further filings from Petitioners in this consolidated proceeding.

3. The requests to proceed in forma pauperis are denied as moot.

4. The motions filed at dockets 57 and 71 of SCPW-24-0000183, dockets 8 and 22 of SCPW-24-0000330, and dockets 27, 47, 49, and 51 of SCPW-24-0000655 are denied. See Womble, 153 Hawai‘i at 319, 537 P.3d at 1166.

5. The motion filed at docket 75 of SCPW-24-0000183 is denied because the consolidation order speaks for itself.

DATED: Honolulu, Hawai'i, February 4, 2025.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Shirley M. Kawamura

