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SCPW-24-0000812

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

DEXTER J. SMITH,
Petitioner,

vs.

THE HONORABLE JOHN M. TONAKI,
Judge of the Circuit Court of the First Circuit,
State of Hawai‘i, Respondent Judge,

and

CITY AND COUNTY OF HONOLULU,
Respondent.

ORIGINAL PROCEEDING
(CASE NO. 1CCV-24-0001303)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of the petition for writ of mandamus
filed December 4, 2024, and the record, Petitioner has not
demonstrated a clear and indisputable right to relief, nor a
lack of alternative means to obtain the relief sought. See
Womble Bond Dickinson (US) LLP v. Kim, 153 Hawai‘i 307, 319, 537

P.3d 1154, 1166 (2023); see also Rules of the Circuit Courts of the State of Hawai'i (RCCH) Rule 2(e)(1) (2019).

It is ordered that the petition is denied.

In denying the petition, we note that certified copies of the complaint may be obtained from the circuit court clerk pursuant to RCCH Rule 2.2. Under the circumstances of this case, it is further ordered that the appellate clerk shall provide Petitioner with two certified copies of the complaint without payment of the necessary costs and fees.

DATED: Honolulu, Hawai'i, April 30, 2025.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Kevin A. Souza

