

**Electronically Filed
Supreme Court
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SCPW-26-0000424

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

RALPH S. CUSHNIE; TARA MALIA GREGORY; and DOUGLAS W. PASNIK,
Petitioners,

vs.

SCOTT T. NAGO, in official capacity as Chief Election Officer,
State of Hawai‘i; and HAWAI‘I ELECTIONS COMMISSION, Respondents.

ORIGINAL PROCEEDING

ORDER DENYING PETITION

(By: Devens, C.J., McKenna, Eddins, and Ginoza, JJ.,
and Circuit Judge Cahill, assigned by reason of vacancy)

Upon consideration of the petition for writ of mandamus,
filed June 9, 2026, and the record, the petition seeks
“prospective enforcement” to compel Respondents to act in a
certain manner as to elections that have not yet occurred. We
decline to grant such relief because we do not know how the
Chief Election Officer will act when certifying the election
results for the upcoming election. See Tax Found. of Hawai‘i v.
State, 144 Hawai‘i 175, 190, 439 P.3d 127, 142 (2019).

Also, it is the duty of the Hawai'i Elections Commission to advise the Chief Election Officer on matters relating to elections.¹ Hawai'i Revised Statutes § 11-7.5(7) (Supp. 2015).

An extraordinary writ is unwarranted. See Womble Bond Dickinson (US) LLP v. Kim, 153 Hawai'i 307, 319, 537 P.3d 1154, 1166 (2023).

It is ordered that the petition is denied.

DATED: Honolulu, Hawai'i, June 17, 2026.

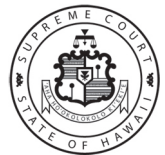
/s/ Vladimir P. Devens

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Peter T. Cahill



¹ Petitioner Ralph S. Cushnie is a Commissioner on the Hawai'i Elections Commission.