

NO. 26522

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MASSIMO FUCHS, Petitioner

vs.

DISTRICT COURT OF THE FIRST CIRCUIT,
HONOLULU DIVISION, STATE OF HAWAI'I, Respondent

and

AHI HARBOR LIMITED PARTNERSHIP, by and through
CB Richard Ellis Hawaii, Inc., Respondent

ORIGINAL PROCEEDING

ORDER DENYING PETITIONER MASSIMO FUCHS' PETITION
FOR A WRIT OF MANDAMUS AND MOTION FOR A STAY OF PROCEEDINGS
(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of the petition for a writ of mandamus and motion for a stay of proceedings filed by Petitioner Massimo Fuchs, the papers in support, and the records and files herein, it appears that Petitioner fails to demonstrate that he is entitled to a writ of mandamus. Therefore,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is denied without prejudice to any remedy Petitioner may have by way of appeal from any adverse judgment.

IT IS FURTHER ORDERED that the motion for a stay of proceedings is denied.

DATED: Honolulu, Hawai'i, April 30, 2004.

Massimo Fuchs,
petitioner *pro se*,
on the writ and motion