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CLERK, APPELLATE COURTS
STATE OF HAWAII

NO. 29681

IN THE SUPREME COURT OF THE STATE OF HAWAII

GLENN NOBUKI MURAKAMI and ANN SUE ISOBE, Petitioners,

vs.

THE HONORABLE EDEN ELIZABETH HIFO, JUDGE OF THE CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII; JANELLE KUBO, CLERK OF THE CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII; MICHAEL DAVID SAKATANI; CHRISTINE MARIE SAKATANI; and 808 DEVELOPMENT LLC, Respondents.

ORIGINAL PROCEEDING
(CIVIL NO. 03-1-1712)

ORDER

(By: Moon, C.J., Acoba, and Duffy, JJ., and Intermediate Court of Appeals Chief Judge Recktenwald, in place of Nakayama, J., recused, and Intermediate Court of Appeals Judge Watanabe, assigned by reason of vacancy)

Upon consideration of the petition for a writ of prohibition filed by petitioners Glenn Nobuki Murakami and Ann Sue Isobe and the papers in support, it appears that the requirements of Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 864 P.2d 1334 (1994) do not apply to the July 29, 2008 judgment entered in Civil No. 03-1-1712 inasmuch as the July 29, 2008 judgment was not entered pursuant to the separate document requirement of HRCP 58, but was entered pursuant to HRS § 658A-25 (Supp. 2007) as a judgment on the July 29, 2008 order granting the motion to confirm the June 5, 2008 arbitration award. The July 29, 2008 judgment is a judgment on the June 5, 2008 arbitration award and the judgment may be recorded, docketed, and enforced. See HRS § 658A-25(a). Thus, petitioners are not entitled to a writ of prohibition. See Kema v. Gaddis, 91 Hawai'i 200, 204-05, 982 P.2d 334, 338-39 (1999) (A writ of

prohibition is an extraordinary remedy that will not issue unless the petitioner demonstrates a clear and indisputable right to relief and a lack of alternative means to redress adequately the alleged wrong or obtain the requested action.). Accordingly,

IT IS HEREBY ORDERED that the petition for a writ of prohibition is denied.

DATED: Honolulu, Hawai'i, March 13, 2009.



James E. Dugley, Jr.

Mark E. Redtenwald

Cecilia K. A. Watanabe