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Supreme Court  
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NO. SCPW-12-0000432

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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MICHAEL TIERNEY, Petitioner,

vs.

INTERMEDIATE COURT OF APPEALS OF THE STATE OF HAWAI'I,  
Respondent.

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ORIGINAL PROCEEDING  
(ICA No. 29993)

ORDER

(By: Recktenwald, C.J., Nakayama, Acoba, Duffy, and McKenna, JJ.)

Upon consideration of petitioner Michael Tierney's petition for a writ of mandamus, it appears that petitioner fails to demonstrate a clear and indisputable right to relief. Therefore, petitioner is not entitled to mandamus relief. See Kema v. Gaddis, 91 Hawai'i 200, 204, 982 P.2d 334, 338 (1999) (A writ of mandamus 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 mandamus is denied.

DATED: Honolulu, Hawai'i, May 17, 2012.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna

