

Electronically Filed
Supreme Court
SCPW-12-0000712
23-AUG-2012
11:22 AM

NO. SCPW-12-0000712

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

JUSTIN GONDA, Petitioner,

vs.

THE HONORABLE GARY W.B. CHANG, JUDGE OF THE CIRCUIT
COURT OF THE FIRST CIRCUIT, STATE OF HAWAI'I, Respondent.

ORIGINAL PROCEEDING
(CIV. NO. 1CC12-1-000692)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Justin Gonda's August 13, 2012 petition for a writ of mandamus, the documents in support and the record, it appears that petitioner fails to demonstrate a clear and indisputable right to relief.

Petitioner, therefore, is not entitled to mandamus relief. See Kema v. Gaddis, 91 Hawai'i 200, 204-05, 982 P.2d 334, 338-39

(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 clerk of the appellate court shall process the petition for a writ mandamus without payment of the filing fee.

IT IS FURTHER ORDERED that the petition for a writ of mandamus is denied.

DATED: Honolulu, Hawai'i, August 23, 2012.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

