

NO. 27968

IN THE SUPREME COURT OF THE STATE OF HAWAII

ERLINDA DOMINGUEZ, Petitioner

vs.

THE HONORABLE JUDGE EDEN E. HIFO, Respondent

EMERSON
CLERK, APPELLATE
STATE OF HAWAII
COURTS

2006 JUL 12 PM 12:56

FILED

ORIGINAL PROCEEDING

ORDER

(By: Moon, C.J., Levinson, Nakayama, and Duffy, JJ.
and Intermediate Court of Appeals Associate Judge Lim,
in place of Acoba, J., recused)

Upon consideration of the petition for a writ of prohibition filed by petitioner Erlinda Dominguez, the papers in support and the record, it appears that a writ of prohibition is not issuable under the authority of Peters v. Jamieson, 48 Haw. 247, 397 P.2d 575 (1964) inasmuch as petitioner is not prohibited from appealing from the final judgment entered in Civil No. 03-1-2372. The actions of the respondent judge are reviewable on appeal from the final judgment entered in Civil No. 03-1-2372, petitioner will have a remedy by way of appeal from the final judgment and a writ of prohibition is not intended to take the place of an appeal. Therefore,

IT IS HEREBY ORDERED that the petition for a writ of prohibition is denied without prejudice to any remedy petitioner may have by way of appeal.

DATED: Honolulu, Hawai'i, July 12, 2006.

Erlinda Dominguez,
petitioner, pro se
on the petition



Steven D. Levinson

Huana C. T. W. K. L. I. A. O.

Ramona E. D. W. S. I. J. I.

