

NO. 30638

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

JOHN KALUA'U III, Petitioner,

vs.

CIRCUIT COURT OF THE THIRD CIRCUIT,
STATE OF HAWAI'I, Respondent.

KHAMAKAHO
CLERK APPELLATE COURTS
STATE OF HAWAII

2010 AUG -2 PM 3:19

FILED

ORIGINAL PROCEEDING
(FC-CR Nos. 09-1-193K, 09-1-194K, 09-1-195K)

ORDER

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

Upon consideration of John Kalua'u III's July 21, 2010 letter to the Chief Justice, which we treat as a petition for a writ of mandamus, it appears that petitioner is not entitled to mandamus relief. See HRS § 602-5(3) (Supp. 2009) ("The supreme court shall have jurisdiction and power . . . to exercise original jurisdiction in all questions arising under writs directed to courts of inferior jurisdiction and returnable before the supreme court."); 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.). Therefore,

IT IS HEREBY ORDERED that the clerk of the appellate court shall process the July 21, 2010 letter as a petition for a writ of 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 2, 2010.



Anna C. Takayama



James E. Duggan

Muri E. McDonald