

NO. 30642

IN THE SUPREME COURT OF THE STATE OF HAWAII

JEAN R. KIKUNOTO  
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SUPREME COURT  
STATE OF HAWAII

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FILED

P. SPENCER JOHNSON, Petitioner,

vs.

THE HONORABLE PAUL T. MURAKAMI, JUDGE OF THE FAMILY  
COURT OF THE FIRST CIRCUIT, STATE OF HAWAII, and  
LESLEY D. JOHNSON, Respondents.

ORIGINAL PROCEEDING  
(FC-D No. 10-1-0437)

ORDER

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

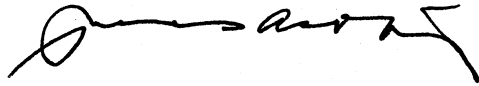
Upon consideration of petitioner P. Spencer Johnson's petition for a writ of mandamus and the papers in support, it appears that petitioner can seek review of the April 8, 2010 post-nuptial agreement order by appealing from the order finally dividing property and debts in FC-D No. 10-1-0437. See Eaton v. Eaton, 7 Haw. App. 111, 118, 748 P.2d 801, 805 (1987). 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. Such writs are not intended to supersede the legal discretionary authority of the lower courts, nor are they intended to serve as legal remedies in lieu of normal appellate procedures.). Accordingly,

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

DATED: Honolulu, Hawai'i, August 12, 2010.



Paula C. Nakayama



Pamela E. Duggan, Jr.

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