

**Electronically Filed
Supreme Court
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SCPW-14-0000622

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

KELLY H. KAILIEHU, Petitioner,

vs.

THE HONORABLE JUDGE OF THE DISTRICT COURT OF
THE FIRST CIRCUIT, HONOLULU DIVISION,
STATE OF HAWAI'I, Respondent Judge,

and

STATE OF HAWAI'I, Respondent.

ORIGINAL PROCEEDING
(CR. NO. 14-1-000324)

ORDER DENYING WITHOUT PREJUDICE PETITION FOR WRIT OF MANDAMUS
(By: Recktenwald, C.J., Nakayama, McKenna, and Pollack, JJ., and
Circuit Judge Wilson, assigned by reason of vacancy)

Upon consideration of petitioner Kelly H. Kailiehu's
"Petition for Writ of Mandamus Directed to the Honorable Judge of
the District Court of the First Circuit Court, Honolulu Division,
State of Hawai'i, et al.", filed on March 25, 2014, the documents
attached thereto and submitted in support thereof, and the
record, it appears that petitioner may seek relief from the

circuit court in his criminal case and, therefore, is not entitled to the requested writ of mandamus at this time. 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 procedure). Accordingly,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is denied without prejudice.

DATED: Honolulu, Hawai'i, April 11, 2014.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

