

Electronically Filed
Supreme Court
SCPW-15-0000939
10-FEB-2016
01:51 PM

SCPW-15-0000939

IN THE SUPREME COURT OF THE STATE OF HAWAII

STEPHEN K. ST. CLAIR, Petitioner,

vs.

DEPARTMENT OF PUBLIC SAFETY, DIRECTOR NOLA ESPINDA, HAWAII
PAROLING AUTHORITY, CHAIR BERT MATSUOKA, Respondents.

ORIGINAL PROCEEDING
(CR. NO. 02-1-64K)

ORDER DENYING APPLICATION FOR WRIT OF MANDAMUS

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

Upon consideration of Petitioner Stephen K. St. Clair's application for writ of mandamus, filed on December 16, 2015, the documents attached thereto and submitted in support thereof, and the record, it appears that Petitioner fails to demonstrate that he is entitled to the requested writ of mandamus. 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); Barnett v. Broderick, 84 Hawai'i 109, 111, 929 P.2d 1359, 1361 (1996) (mandamus relief is available to compel an official to perform a

duty allegedly owed to an individual only if the individual's claim is clear and certain, the official's duty is ministerial and so plainly prescribed as to be free from doubt, and no other remedy is available). Accordingly,

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

DATED: Honolulu, Hawai'i, February 10, 2016.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

