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Supreme Court
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SCPW-16-0000815

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

JOHN ANTONI, N.C. DYLAN WILLOUGHBY and ANTONI ALBUS, LLP,
Petitioners,

vs.

THE HONORABLE RHONDA I.L. LOO et al., Respondents.

ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF MANDAMUS OR
FOR WRIT OF PROHIBITION

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

Upon consideration of John Antoni’s and N.C. Dylan Willoughby’s Petition for a Writ of Mandamus or of Prohibition, filed on November 17, 2016, we conclude the Petitioners fail to demonstrate they are entitled to the requested relief because the Petitioners failed to establish their right to relief is indisputable. 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); 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); Honolulu Advertiser, Inc. v. Takao, 59 Haw. 237, 241, 580 P.2d 58, 62 (1978) (a writ of prohibition 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 address adequately the alleged wrong or obtain the requested action; such a writ is not intended to supersede the legal discretionary authority of the trial courts, cure a mere legal error or serve as a legal remedy in lieu of normal appellate procedure).

Accordingly,

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

DATED: Honolulu, Hawai'i, December 30, 2016.

/s/ Mark E. Recktenwald
/s/ Paula A. Nakayama
/s/ Sabrina S. McKenna
/s/ Richard W. Pollack
/s/ Michael D. Wilson

