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Supreme Court
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SCPW-19-0000052

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

VALERIE R. WOODS, individually and as Trustee of the VALERIE R.
WOODS TRUST DATED FEBRUARY 1, 2001, Petitioner,

vs.

THE HONORABLE RANDAL G. B. VALENCIANO, Judge of the Circuit Court
of the Fifth Circuit, State of Hawai'i, Respondent Judge,

and

BAYVIEW LOAN SERVICING, LLC, Respondent.

ORIGINAL PROCEEDING
(CAAP-18-0000298; CIV. NO. 13-1-0105)

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

(By: Nakayama, Acting C.J., McKenna, Pollack, Wilson, JJ., and Circuit
Judge Somerville, in place of Recktenwald, C.J., recused)

Upon consideration of petitioner's petition for writ of prohibition, filed on January 23, 2019, the documents attached thereto and submitted in support thereof, and the record, it appears that petitioner is not entitled to the requested extraordinary writ. There is no evidence that there is any matter pending in the underlying circuit court proceeding that questions the circuit court's jurisdiction as it relates to the appeal in CAAP-18-0000298 and that the circuit court will act in excess of its jurisdiction sufficient to warrant the requested

writ. Moreover, petitioner may seek any appropriate relief in the pending appeal. See Honolulu Advertiser, Inc. v. Takao, 59 Haw. 237, 241, 580 P.2d 58, 62 (1978) (a writ of prohibition "is an extraordinary remedy . . . to restrain a judge of an inferior court from acting beyond or in excess of his jurisdiction"); Gannett Pac. Corp. v. Richardson, 59 Haw. 224, 226, 580 P.2d 49, 53 (1978) (a writ of prohibition is not meant to serve as a legal remedy in lieu of normal appellate procedures; rather, it is available in "rare and exigent circumstances" where "allow[ing] the matter to wend its way through the appellate process would not be in the public interest and would work upon the public irreparable harm"). Accordingly,

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

DATED: Honolulu, Hawai'i, February 20, 2019.

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

/s/ Rowena A. Somerville

