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Supreme Court
SCPW-19-0000216
16-APR-2019
02:10 PM

SCPW-19-0000216

IN THE SUPREME COURT OF THE STATE OF HAWAII

FREDERICK ARENSMEYER, Petitioner,

vs.

THE HONORABLE LISA M. GINOZA, THE HONORABLE ALEXA D. M. FUJISE,
and THE HONORABLE KATHERINE G. LEONARD, Judges of the
Intermediate Court of Appeals of the State of Hawai'i,
Respondent Judges,

and

NATHAN EARL AIWOHI; LEAH LEIKO AIWOHI; THE BANK OF NEW YORK
MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE
CERTIFICATEHOLDERS OF THE CWALT, INC., ALTERNATIVE LOAN TRUST
2006-5T2 MORTGAGE PASSTHROUGH CERTIFICATES 006-5T2; GATHER CREDIT
UNION; AOA OF ARRUDA ESTATES I, Respondents.

ORIGINAL PROCEEDING
(CAAP-18-0000736)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Frederick J. Arensmeyer's petition for writ of mandamus, filed on March 20, 2019, the documents attached thereto and submitted in support thereof, and the record, it appears that petitioner fails to demonstrate a lack of alternative means to seek the requested relief. Petitioner, therefore, is not entitled to the requested extraordinary writ. 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); Honolulu Adv., Inc. v. Takao, 59 Haw. 237, 241, 580 P.2d 58, 62 (1978) (a writ of mandamus, therefore, is meant to restrain a judge of an inferior court from acting beyond or in excess of his or her jurisdiction). Accordingly,

IT IS HEREBY ORDERED that the petition for writ of mandamus is denied. This disposition does not limit petitioner's right to seek other relief as appropriate.

DATED: Honolulu, Hawai'i, April 16, 2019.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

