

**Electronically Filed
Supreme Court
SCPW-20-000028
31-JAN-2020
02:15 PM**

SCPW-20-000028

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

NICHOLAS L. ABEL, Petitioner,

vs.

THE HONORABLE EDMUND D. ACOBA, Judge of the Family Court of the
Fifth Circuit, State of Hawai'i, Respondent Judge.

ORIGINAL PROCEEDING
(FC-S NO. 19-1-00014)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of the document submitted by petitioner Nicholas L. Abel, which was filed on January 17, 2020, as a petition for writ of mandamus, and the record, it appears that, based on the information presented, petitioner fails to demonstrate that he has a clear and indisputable right to the requested relief from this court and that he lacks alternative means to seek relief. 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 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 procedures). Accordingly,

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

IT IS HEREBY FURTHER ORDERED that the clerk of the appellate court shall process the petition for writ of mandamus without payment of the filing fee.

DATED: Honolulu, Hawai'i, January 31, 2020.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

