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Supreme Court
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SCPW-20-0000085

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

JUDGES FOR JUSTICE, Petitioner,

vs.

THE HONORABLE HENRY T. NAKAMOTO, Judge of the Circuit Court of
the Third Circuit, State of Hawai'i, Respondent Judge,

and

ALBERT IAN SCHWEITZER; STATE OF HAWAI'I, Respondents.

ORIGINAL PROCEEDING
(S.P. NO. 07-1-0007)

ORDER DENYING PETITION FOR WRIT OF PROHIBITION
AND WRIT OF MANDAMUS

(By: Recktenwald, C.J., Nakayama, McKenna, and Wilson, JJ.,
and Circuit Judge Nakasone, assigned by reason of vacancy)

Upon consideration of petitioner Judges for Justice's
petition for writ of prohibition and writ of mandamus, respondent
Albert Ian Schweitzer's answering brief, respondent State of
Hawai'i's answer, the respondent judge's answer, the respective
supporting documents, and the record, it appears that petitioner
is currently seeking relief by way of an appeal in the
Intermediate Court of Appeals in CAAP-20-0000374.
Extraordinary relief is therefore not warranted. See 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); 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). Accordingly,

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

DATED: Honolulu, Hawai'i, September 9, 2020.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Karen T. Nakasone

