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SCPW-21-0000378

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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SARA DRAWDY and OBO of MINOR CHILDREN, Petitioner,

vs.

THE HONORABLE MAHILANI E. K. HIATT,  
Judge of Family Court of the Third Circuit, State of Hawai‘i,  
Respondent Judge,

and

JOSHUA BUNCH, Respondent.

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ORIGINAL PROCEEDING  
(CASE NO. FC-DA 21-1-107K)

ORDER DENYING PETITION FOR EXTRAORDINARY WRIT AND/OR  
WRIT OF MANDAMUS

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

Upon consideration of the petition for extraordinary writ and/or writ of mandamus, filed on June 22, 2021, the documents submitted in support thereof, and the record, it appears that petitioner fails to demonstrate that she has a clear and indisputable right to the requested relief or that the respondent judge has flagrantly and manifestly abused her discretion in modifying the orders in the underlying proceeding or in addressing the issue regarding the appointment of a

Guardian Ad Litem. Additionally, the issue of the respondent judge's disqualification is pending in the family court. Petitioner, therefore, is not entitled to the requested extraordinary writ. See Kema v. Gaddis, 91 Hawai'i 200, 204-05, 982 P.2d 334, 338-39 (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 meant to restrain a judge of an inferior court who has exceeded his or her jurisdiction, has committed a flagrant and manifest abuse of discretion, or has refused to act on a subject properly before the court under circumstances in which he or she has a legal duty to act). Accordingly,

IT IS HEREBY ORDERED that the petition for extraordinary writ and/or writ of mandamus is denied.

DATED: Honolulu, Hawai'i, July 16, 2021.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

