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SCPW-22-0000089

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

WAIPIO VALLEY ARTWORKS L.L.C., a Hawai‘i limited liability company; WAIPIO OHANA CORPORATION, a Hawai‘i corporation dba WAIPIO VALLEY SHUTTLE; NA‘ALAPA STABLES, LLC, a Hawai‘i limited liability company; and MICHAEL OLIVAL, Petitioners,

vs.

MITCHELL D. ROTH, in his capacity as Mayor of the COUNTY OF HAWAII, Respondent.

ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioners' petition for writ of mandamus, filed on February 28, 2022, and the record, the issues and request for relief presented in the petition do not warrant this court's intervention by way of an extraordinary writ, and petitioners have alternative means to seek relief, including seeking relief in the circuit court as provided by law. 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); Barnett v. Broderick, 84 Hawai'i 109, 111, 929 P.2d 1359, 1361 (1996) (with respect to a public official, mandamus relief is available to compel an official to perform a duty allegedly owed to an individual only if the individual's claim is clear and certain, the official's duty is ministerial and so plainly prescribed as to be free from doubt, and no other remedy is available). Accordingly,

It is ordered that the petition for writ of mandamus is denied.

DATED: Honolulu, Hawai'i, March 4, 2022.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

