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SCPW-22-0000307

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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LEONARDO R. CHAVEZ, Petitioner,

vs.

THE HONORABLE PAUL B.K. WONG,  
Judge of the Circuit Court of the First Circuit,  
State of Hawai‘i, Respondent Judge.

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ORIGINAL PROCEEDING  
(CASE NO. 1PC141000360)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Leonardo R. Chavez’s petition for writ of mandamus, filed on April 29, 2022, and the record, petitioner is currently seeking identical relief in the circuit court. Rule 44A of the Hawai‘i Rules of Penal Procedure and Rule 23 of the Rules of the Circuit Courts of the State of Hawai‘i require the prevailing party to prepare findings of fact, conclusions of law, and order within 10 days of the circuit court’s decision or ruling, and petitioner’s pending “Motion for Entry of Order,” filed in the circuit court on March 29, 2022,

requests findings of fact, conclusions of law, and order be filed in connection with several motions that have been ruled upon in favor of the State of Hawai'i. An extraordinary writ is thus not warranted at this time. See Kema v. Gaddis, 91 Hawai'i 200, 204, 982 P.2d 334, 338 (1999) (explaining that 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 who has exceeded the judge's 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 the judge has a legal duty to act). Accordingly,

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

DATED: Honolulu, Hawai'i, May 18, 2022.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

