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SCPW-23-0000056

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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CAMERON NICE and MARTHA NICE, Petitioners,

vs.

THE HONORABLE RANDAL VALENCIANO,  
Judge of the Circuit Court of the Fifth Circuit,  
State of Hawai‘i, Respondent.

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ORIGINAL PROCEEDING  
(5CCV-22-0000027)

ORDER

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

Upon consideration of the March 8, 2023 submission from Cameron and Martha Nice, and the record in this matter, we conclude the submission is, in part, a second motion for reconsideration of this court’s February 10, 2023 order, which denied their original petition for a writ of mandamus, and is, in part, a series of motions for fresh relief, including (1) for interlocutory review of a February 23, 2023 hearing in the underlying litigation; (2) an order from this court removing

Judge Valenciano from the underlying litigation and/or requiring his recusal; (3) an order directing Judge Valenciano to vacate his January 26, 2023 order, which granted withdrawal of the law firm which previously had represented the Nices; (4) an order directing Judge Valenciano to reschedule a number of hearings to accommodate the Nices; (5) an order directing the former firm to renew its representation and/or refund monies to the Nices which were previously paid; (6) an order directing the Disciplinary Board of the Hawai'i Supreme Court and the Office of Disciplinary Counsel to expedite any investigations of the Nices' allegations of misconduct against a number of attorneys involved in the underlying litigation; and (7) the provision of free legal representation and/or consultation. We further conclude that either the requested relief is prohibited by court rule, see Rule 40(e) of the Hawai'i Rules of Appellate Procedure, or the Nices, in their additional requests for relief, fail to establish a clear and indisputable right to relief or that they lack other means to adequately redress the alleged wrong, or both. See Straub Clinic & Hospital v. Kochi, 81 Hawai'i 410, 414, 917 P.2d 1284, 1288 (1996); In re Disciplinary Bd. of Hawai'i Supreme Court, 91 Hawai'i 363, 368-69, 984 P.2d 688, 693-94 (1999); Breiner v. Sunderland, 112 Hawai'i 60, 68, 143 P.3d 1262, 1270 (2006). Therefore,

It is ordered that the motions are denied in their entirety.

DATED: Honolulu, Hawai'i, March 17, 2023.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

