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SCPW-23-0000471

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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BOARD OF LAND AND NATURAL RESOURCES,  
State of Hawai'i, Petitioner,

vs.

THE HONORABLE JEFFREY P. CRABTREE,  
Judge of the Circuit Court of the First Circuit,<sup>1</sup>  
State of Hawai'i, Respondent Judge,

and

SIERRA CLUB, ALEXANDER & BALDWIN, INC., EAST MAUI IRRIGATION  
COMPANY, LLC, and COUNTY OF MAUI, Respondents.

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ORIGINAL PROCEEDING  
(CASE NO. 1CCV-22-0001506)

ORDER DENYING PETITION  
(By: Recktenwald, C.J., McKenna, and Eddins, JJ.,  
Circuit Judge DeWeese and Circuit Judge Kawashima,  
assigned by reason of vacancies)

Upon consideration of the petition for writs of mandamus  
and prohibition filed on August 9, 2023, the answers filed on  
August 21, 2023, the documents attached and submitted in support

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<sup>1</sup> Sitting as an environmental judge of the first circuit under Hawai'i  
Revised Statutes Chapter 604A.

of the petition and answers, the oral argument held on August 23, 2023, and the record,

Petitioner has failed to establish a "clear and indisputable right to the relief requested and a lack of other means to redress adequately the alleged wrong or to obtain the requested action." See Kema v. Gaddis, 91 Hawai'i 200, 204, 982 P.2d 334, 338 (1999). Thus, it is ordered that the petition is denied.

It is further ordered that the request for an immediate stay of the Respondent Judge's order pending this court's consideration of the petition and Petitioner's motion to shorten time for consideration of the petition are denied as moot.

DATED: Honolulu, Hawai'i, August 24, 2023.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Wendy M. DeWeese

/s/ James S. Kawashima

