

**Electronically Filed
Supreme Court
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NO. SCPW-12-0000745

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

WILLIAM S. ELLIS, JR., Petitioner,

vs.

THE HONORABLE KELSEY KAWANO, JUDGE OF THE CIRCUIT COURT OF THE
SECOND CIRCUIT, STATE OF HAWAI'I, Respondent.

ORIGINAL PROCEEDING

(ICA NO. CAAP-11-0000781; ICA NO. CAAP-11-0001093;
CIV. NO. 04-1-0500(1); CIV. NO. 05-1-0232(2))

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

(By: Recktenwald, C.J., Nakayama, Acoba, McKenna, and Pollack, JJ.)

Upon consideration of petitioner William S. Ellis, Jr.'s August 29, 2012 petition for a writ of mandamus, the documents attached thereto and submitted in support thereof, and the record, it appears that petitioner fails to demonstrate a clear and indisputable right to relief and, therefore, is not entitled to mandamus relief. 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. Such writs are not intended to supercede the legal discretionary authority of the lower courts, nor are they intended to serve as legal remedies in lieu of normal appellate procedures.). Accordingly,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is denied.

DATED: Honolulu, Hawai'i, October 5, 2012.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

