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Supreme Court
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SCPW-13-0000931

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STEPHANIE S.O. TIM SING,
Petitioner,

vs.

THE HONORABLE EDWIN C. NACINO, JUDGE OF THE FIRST
CIRCUIT COURT, STATE OF HAWAI'I; DEPARTMENT OF LAND AND
NATURAL RESOURCES, STATE OF HAWAI'I,
Respondents.

ORIGINAL PROCEEDING
(CIV. NO. 12-1-2216)

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of petitioner Stephanie S.O. Tim Sing's petition for a writ of mandamus, the documents attached thereto and submitted in support thereof, and the record, it appears that the remedy petitioner is seeking is not appropriate by way of a petition for a writ of mandamus and petitioner has alternative means to address the alleged wrong. Petitioner, 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); Honolulu Advertiser, Inc. v. Takao, 59 Haw. 237, 241, 580 P.2d 58, 62 (1978) (a writ of mandamus is not intended to supersede the legal discretionary authority of the trial courts, cure a mere legal error or serve as a legal remedy in lieu of normal appellate procedure; rather, it is meant to restrain a judge of an inferior court from acting beyond or in excess of his or her jurisdiction). Accordingly,

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

DATED: Honolulu, Hawai'i, June 4, 2013.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

