

**Electronically Filed
Supreme Court
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SCPW-13-0005884

IN THE SUPREME COURT OF THE STATE OF HAWAII

DENISE ESPINOZA, Petitioner,

vs.

STATE OF HAWAII DISTRICT COURT OF THE FIRST CIRCUIT,
HONOLULU DIVISION, Respondent.

ORIGINAL PROCEEDING
(Case No. 1P1090009388-1P1090009423)

ORDER DENYING "EMERGENCY PETITION FOR WRIT OF MANDAMUS; WRIT OF
PROHIBITION TO THE STATE OF HAWAII DISTRICT COURT OF THE FIRST
CIRCUIT HONOLULU DIVISION AND JUDGE SHIRLEY KAWAMURA"

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

Upon consideration of the document submitted by petitioner Denise Espinoza entitled "Emergency Petition for Writ of Mandamus; Writ of Prohibition to the State of Hawaii District Court of the First Circuit Honolulu Division and Judge Shirley Kawamura", which was filed as a petition for a writ of mandamus on December 4, 2013, and the record, it appears that petitioner does not have a clear and indisputable right to the requested relief and has alternative means to obtain relief. Petitioner, therefore, is not entitled to a writ of mandamus. See Kema v.

Gaddis, 91 Hawai'i 200, 204-05, 982 P.2d 334, 338-39 (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). Accordingly,

IT IS HEREBY ORDERED that the clerk of the appellate court shall process the petition for a writ of mandamus without payment of the filing fee.

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

DATED: Honolulu, Hawai'i, December 10, 2013.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

