

NO. 25140

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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EARL I. ANZAI, Attorney General of the State  
of Hawai'i, on behalf of  
THE JUDICIAL SELECTION COMMISSION OF  
THE STATE OF HAWAI'I, Petitioner,

vs.

THE HONORABLE ROBERT BUNDA, President of the Senate,  
State of Hawai'i, Respondent.

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ORIGINAL PROCEEDING

ORDER

(By: Levinson, Acting C.J., Acoba, J.; and  
Circuit Judge Masuoka, in place of Moon, C.J., recused;  
Intermediate Court of Appeals Chief Judge Burns,  
in place of Nakayama, J., recused; and Intermediate Court  
of Appeals Judge Watanabe, in place of Ramil, J., recused)

Upon consideration of the petition for a writ of  
mandamus directed to a public officer and the papers in support,  
it appears that a petition for writ of mandamus is not the  
appropriate method to obtain review of the controversy between  
the parties. Therefore,

IT IS HEREBY ORDERED that the petition for writ of  
mandamus is denied without prejudice to the filing of any  
appropriate action for relief, including: (1) an agreed  
statement of facts pursuant to HRS § 602-5(3) and HRAP Rule 18;  
or (2) a declaratory judgment action pursuant to HRS § 632-1.

DATED: Honolulu, Hawai'i, June 27, 2002.