

NO. 25205

IN THE SUPREME COURT OF THE STATE OF HAWAII

BENJAMIN BUCKLESS CASSIDY, III, Petitioner,

vs.

THE HONORABLE RICHARD W. POLLACK, JUDGE, FIRST CIRCUIT COURT,
and PERKINS & HOSADO, a dissolved partnership, Respondents.

ORIGINAL PROCEEDING

ORDER

(By: Moon, C.J., Levinson, Nakayama,
Ramil, and Acoba, JJ.)

Upon consideration of the petition for a writ of mandamus directing the trial court to allow Petitioner to participate in his jury trial with the assistance of co-counsel, the papers in support, and the records and files herein, it appears that: (1) Petitioner Benjamin Buckles Cassidy, III, petitions this court to review a ruling issued by the respondent judge in Perkin & Hosada v. Cassidy, Civil No. 00-1-2497, presently pending in the Circuit Court of the First Circuit; and (2) Petitioner fails to demonstrate that he is entitled a writ of mandamus. Therefore,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is denied without prejudice to Petitioner raising any issue in the pending circuit court proceeding and without prejudice to any remedy Petitioner may have by way of appeal.

DATED: Honolulu, Hawai'i, July 23, 2002.