

NO. 25565

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ALVIN J.K. KAPAHUA, JR., Petitioner-Appellant,

vs.

COLETTE T. GARIBALDI, Respondent-Appellee.

ORIGINAL PROCEEDING

ORDER DENYING PETITIONER-APPELLANT'S
WRIT OF MANDAMUS PURSUANT TO H.R.A.P. RULE 21(B)
(By: Moon, C.J., Levinson, Nakayama, Acoba, JJ.,
and Circuit Judge Masuoka, assigned by reason of vacancy)

Upon consideration of Petitioner-Appellant Alvin J.K. Kapahua, Jr.'s petition for a writ of mandamus and the papers in support, it appears that: (1) a writ of mandamus will not issue unless the petitioner demonstrates a clear and indisputable right to relief and a lack of other means to adequately redress the alleged wrong or obtain the requested action. State v, Hamili, 87 Hawai'i 102, 104, 952 P.2d 390, 392 (1998); and (2) Petitioner fails to demonstrate that he is entitled to a writ of mandamus. Therefore,

IT IS HEREBY ORDERED that the petition is denied.

DATED: Honolulu, Hawai'i, January 29.2003.

Alvin J.K. Kapahua,
petitioner-appellant,
appearing pro se
on the petition