

NO. 25747

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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COUNTY OF HAWAI'I, a municipal corporation, Plaintiff,

vs.

ROBERT NIGEL RICHARDS, TRUSTEE UNDER THE MARILYN SUE WILSON TRUST; ROBERT NIGEL RICHARDS, TRUSTEE UNDER THE JOAN ELIZABETH COUPE TRUST; CHARLES WILLIAM COUPE; JOAN ELIZABETH COUPE; MILES HUGH WILSON; JOAN COUPE, TRUSTEE UNDER REVOCABLE TRUST OF JOAN COUPE DATED MARCH 30, 1989; JOHN DOES 1-100; JANE DOES 1-100; DOE PARTNERSHIPS 1-100; DOE CORPORATIONS 1-100; DOE ENTITIES 1-100; and DOE GOVERNMENTAL UNITS 1-100, Defendants

and

ROBERT NIGEL RICHARDS, TRUSTEE UNDER THE JOAN ELIZABETH COUPE TRUST; CHARLES WILLIAM COUPE; JOAN ELIZABETH COUPE; JOAN COUPE, TRUSTEE UNDER REVOCABLE TRUST OF JOAN COUPE DATED MARCH 30, 1989, Defendants/Counterclaimants,

vs.

COUNTY OF HAWAII, a municipal corporation,  
Plaintiff/Counterclaim Defendant,

and

ROBERT NIGEL RICHARDS, TRUSTEE UNDER THE JOAN ELIZABETH COUPE TRUST; CHARLES WILLIAM COUPE; JOAN ELIZABETH COUPE; JOAN COUPE, TRUSTEE UNDER REVOCABLE TRUST OF JOAN COUPE DATED MARCH 30, 1989, Third-Party Plaintiffs,

vs.

1250 OCEANSIDE PARTNERS aka HOKULI'A, Petitioner/Third-Party Defendant.

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ORIGINAL PROCEEDING

ORDER DENYING THIRD-PARTY DEFENDANT 1250 OCEANSIDE PARTNERS  
AKA HOKULI'A'S PETITION FOR A WRIT OF MANDAMUS DIRECTING THE  
HONORABLE RONALD IBARRA TO RESCIND HIS SUA SPONTE ORDER  
TRANSFERRING THE HEARING ON 1250 OCEANSIDE PARTNERS AKA  
HOKULI'A'S MOTION FOR THE DISQUALIFICATION OR RECUSAL  
OF THE HONORABLE RONALD IBARRA FROM PRESIDING AS  
THE JUDGE IN THIS LAWSUIT TO THE HONORABLE RIKI MAY AMANO  
(By: Levinson, Acting C.J, Nakayama, J., Circuit Judge Waldorf,  
in place of Acoba, J., who is unavailable, and Circuit Judge  
Graulty, assigned by reason of vacancy, and Circuit Judge Chan,  
in place of Moon, C.J., who is absent)

Upon consideration of Third-Party Defendant 1250  
Oceanside Partners aka Hokuli'a's petition for a writ of mandamus  
directing the Honorable Ronald Ibarra to rescind his sua sponte  
order transferring the hearing on 1250 Oceanside Partners' motion  
for the disqualification or recusal of the Honorable Ronald  
Ibarra from presiding as the judge in this lawsuit to the  
Honorable Riki May Amano, the papers in support, and the records  
and files herein, it appears that 1250 Oceanside Partners fails  
to demonstrate that it is entitled to a writ of mandamus.  
Therefore,

IT IS HEREBY ORDERED that the petition for a writ of  
mandamus is denied without prejudice to any remedy 1250 Oceanside  
Partners may have from any adverse judgment.

DATED: Honolulu, Hawai'i, April 10, 2003.

John R. Dwyer, Jr.,  
Blake W. Bushnell and  
David A. Sgan for third-  
party defendant  
1250 Oceanside Partners aka  
Hokuli'a