

NO. 25852

IN THE SUPREME COURT OF THE STATE OF HAWAII

ERIC AARON LIGHTER,
Petitioner,

vs.

RIKI MAY AMANO, Former Third Circuit Judge,
Respondent.

ORIGINAL PROCEEDING

ORDER DISMISSING COMPLAINT ON JUDICIAL MISCONDUCT,
INCOMPETENCY AND BIAS BY RIKI MAY AMANO WITHOUT PREJUDICE
(By: Moon, C.J., Levinson, Nakayama and Acoba, JJ.,
and Circuit Judge Cardoza, assigned by reason of vacancy)

Upon consideration of Petitioner Eric Aaron Lighter's petition on judicial misconduct, incompetency and bias by Riki May Amano, the papers in support, and the records and files herein, it appears that: (1) Petitioner believes the respondent is guilty of misconduct in Ober v. Lighter, Civil No. 99-217, which was pending in the Circuit Court of the Third Circuit, and Petitioner contends that the findings of fact and conclusions of law entered on April 11, 2003 are clearly erroneous, and at minimum, Petitioner is entitled to a new trial; (2) Petitioner fails to set forth any legal authority that grants this court jurisdiction to consider the issues raised in the complaint in the first instance; (3) if Petitioner wishes to challenge the findings of fact and conclusions of law and the judgment entered in the underlying case and other actions that occurred during the circuit court proceeding, his remedy is by way of appeal in accordance with HRS § 641-1 and HRAP Rules 3 and 4; and (4) this court cannot resolve complaints on judicial conduct in the first

instance. See Rule 8 of the Rules of the Supreme Court of Hawaii (RSCH). Therefore,

IT IS HEREBY ORDERED that the complaint on judicial conduct is dismissed without prejudice to any remedy Petitioner may have by way of appeal and without prejudice to any appropriate proceeding pursuant to RSCH Rule 8.

DATED: Honolulu, Hawai'i, June 19, 2003.

Eric Aaron Lighter,
petitioner pro se
on the complaint