

NO. 26521

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

SHAYNE J. PADILLA, Petitioner

vs.

THIRD CIRCUIT COURT CLERKS, Respondents

ORIGINAL PROCEEDING

ORDER

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

Upon consideration of Petitioner Shayne James Padilla's petition for a writ of mandamus, the papers in support, and the records and files herein, it appears that: (1) a writ of mandamus is an extraordinary remedy that will not issue unless the petitioner demonstrates a clear and indisputable right to relief and a lack of other means to redress adequately the alleged wrong or obtain the requested action. Barnett v. Broderick, 84 Hawai'i 109, 111, 929 P.2d 1359, 1361 (1996) (citation omitted); (2) mandamus relief is available to compel officials to perform a duty allegedly owed to an individual only if the individual's claim is clear and certain, the official's duty is ministerial and so plainly prescribed as to be free from doubt, and no other remedy is available. Id.; and (3) Petitioner fails to provide sufficient information for this court to determine whether he is entitled to any relief. Therefore,

IT IS HEREBY ORDERED that the petition is denied without prejudice to a subsequent petition that provides sufficient information for the court to determine whether Petitioner is entitled to any relief.

DATED: Honolulu, Hawai'i, May 12, 2004.

Shayne J. Padilla,
petitioner *pro se*,
on the writ