

NO. 27196

IN THE SUPREME COURT OF THE STATE OF HAWAII

A. EDUARDO G. BRINGAS, Petitioner

vs.

HONORABLE ALLENE K. SUEMORI, Family District Court Judge
of the Family Court of the First Circuit, Respondent

FILED
2005 APR 11 PM 2:09
CLERK OF SUPREME COURT
STATE OF HAWAII

ORIGINAL PROCEEDING
(CIV. NO. 98-0276-01)

ORDER DENYING APPLICATION FOR WRIT OF MANDAMUS

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

Upon consideration of the application for a writ of mandamus filed by Petitioner A. Eduardo G. Bringas, the papers in support, and the records and files herein, it appears: (1) Petitioner has an appeal pending from the underlying orders and judgments being challenged in this original proceeding; and (2) a writ of mandamus is not intended to take the place of an appeal. See Straub Clinic & Hospital v. Kochi, 81 Hawai'i 410, 414, 917 P.2d 1284, 1288 (1996). Therefore,

IT IS HEREBY ORDERED that the application for a writ of mandamus is denied without prejudice to any remedy Petitioner may have in his pending appeal and without prejudice to Petitioner raising any relevant point of error in his pending appeal.

DATED: Honolulu, Hawai'i, April 11, 2005.

Brian K. Yomono
for petitioner on
the writ

[Handwritten signatures]
Honora E. Duggan, Jr.