

NO. 27607

IN THE SUPREME COURT OF THE STATE OF HAWAII

JOHN F. KAHOOILIHALA, DOREEN K. KAHOOILIHALA,  
and JOHN K. MORRIS, Petitioners

vs.

THE HONORABLE EDEN ELIZABETH HIFO and KAWAIAHA'O CHURCH  
by and through Its Board of Trustees, Respondents

2005 DEC 23 12:00  
E. M. RINANDO  
CLERK  
SUPREME COURT  
STATE OF HAWAII

FILED

ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

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

Upon consideration of the petition for a writ of mandamus filed by Petitioners John F. Kahooilihala, Doreen K. Kahooilihala, and John K. Morris, the papers in support, and the records and files herein, it appears that: (1) Petitioners are petitioning this court to review rulings and orders issued by the respondent judge in Kahooilihala v. Kawaiaha'o Church, Civil No. 03-1-0166; (2) Petitioners will have a remedy by way of appeal from any adverse judgment, and a writ of mandamus is not intended to take the place of an appeal. Therefore,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is denied without prejudice to any remedy Petitioners may have in the pending circuit court case and without prejudice to any remedy Petitioners may have by way of appeal.

DATED: Honolulu, Hawai'i, December 23, 2005.

Wayne M. Sakai,  
Michiro Iwanaga,  
and Daniel M. Chen  
for petitioners on  
the writ

*[Handwritten signatures]*  
Steven H. Levinson  
Daniel M. Chen  
Kamon E. Duffy, Jr.