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NO. 29745

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

NATASHA ANELA VIMAHI and LUSEANE ENITI VIMAHI,
Petitioners,

vs.

THE HONORABLE KAREN N. BLONDIN, JUDGE OF THE CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAI'I and PROVIDENT FUNDING ASSOCIATES, L.P., Respondents.

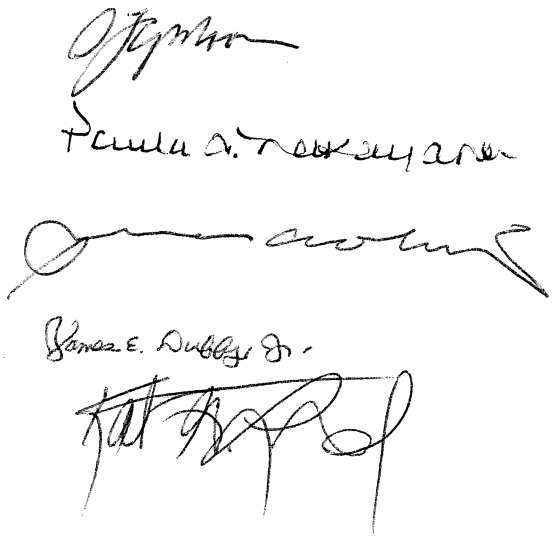
2009 APR 21 PM 3:19
K. HAMAKAWA
CLERK, APPELLATE COURTS
STATE OF HAWAII
FILED

ORIGINAL PROCEEDING
(CIVIL NO. 08-1-1788)

ORDER
(By: Moon, C.J., Nakayama, Acoba, and Duffy, JJ., and Intermediate Court of Appeals Judge Leonard, assigned by reason of vacancy)

Upon consideration of the petition for a writ of prohibition filed by petitioners Natasha Anela Vimahi and Luseane Eniti Vimahi and the papers in support, it appears that the granting and entry of a writ of ejectment is immediately appealable pursuant to HRS § 641-1(a) (Supp. 2008). See Penn v. Transportation Lease Haw., Ltd., 2 Haw. App. 272, 274, 630 P.2d 646, 649 (1981); Ciesla v. Reddish, 78 Hawai'i 18, 889 P.2d 702 (1995). Petitioners can appeal from a writ of ejectment and can seek a stay of the writ pending appeal pursuant to HRAP 8. Thus, petitioners are not entitled to extraordinary relief. See Kema v. Gaddis, 91 Hawai'i 200, 204, 982 P.2d 334, 338 (1999) (A writ of prohibition is an extraordinary remedy that will not issue unless the petitioner demonstrates a clear and indisputable right to relief and a lack of alternative means to redress adequately the alleged wrong or obtain the requested action. Such writs are not intended to supersede the legal discretionary authority of

the lower courts, nor are they intended to serve as legal remedies in lieu of normal appellate procedures.). Accordingly,

IT IS HEREBY ORDERED that the petition for a writ of prohibition is denied.

DATED: Honolulu, Hawai'i, April 21, 2009.