

NO. 29911

IN THE SUPREME COURT OF THE STATE OF HAWAII

SALLY RAE REYNOLDS and JOSEPH STEVENSON BEALE
Petitioners,

vs.

THE HONORABLE KAREN N. BLONDIN, JUDGE OF THE CIRCUIT
COURT OF THE FIRST CIRCUIT, STATE OF HAWAII and
R2B INVESTORS, LLC, Respondents.

Jean Kikumoto
CLERK OF THE SUPREME COURT
STATE OF HAWAII

2009 JUL 21 PM 2:22

FILED

ORIGINAL PROCEEDING
(CIVIL NO. 08-1-2668)

ORDER

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

Upon consideration of the petition for a writ of mandamus filed by petitioners Sally Rae Reynolds and Joseph Stevenson Beale, the papers in support, and the respondents' answers, it appears that petitioners' May 26, 2009 motion for approval of a supersedeas bond pursuant to HRCP 62(d) was denied by the respondent judge. It further appears that petitioners subsequently filed, on July 10, 2009, a "Renewed Motion for Approval of Amount of Supersedeas Bond for Stay Pending Appeal," which is presently set for hearing on July 23, 2009. By filing this motion, petitioners have an alternative means to redress the alleged wrong and have availed themselves of it. Therefore, petitioners are not entitled to mandamus relief. See Kema v. Gaddis, 91 Hawai'i 200, 204, 982 P.2d 334, 338 (1999) (A writ of mandamus is an extraordinary remedy that will not issue unless the petitioner demonstrates a clear and indisputable right to

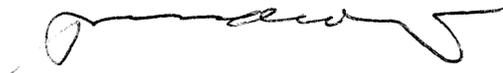
relief and a lack of alternative means to redress adequately the alleged wrong or obtain the requested action.). Accordingly,

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

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



Anna A. Nakayama



Sarah E. Dully, Jr.

Mon E. Redmond