

NO. 29925

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MELANIE SATO, Petitioner,

vs.

THE HONORABLE MICHAEL F. BRODERICK, JUDGE OF THE FAMILY COURT OF THE FIRST CIRCUIT, STATE OF HAWAI'I, and MIKE A. TROUT, Respondents.

K. HAMAMOTO
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

2009 JUL 13 PM 1:22

FILED

ORIGINAL PROCEEDING
(FC-DA NO. 09-1-1202)

ORDER

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

Upon consideration of the petition for a writ of mandamus filed by petitioner Melanie Sato and the papers in support, it appears that petitioner can file a protective notice of appeal to preserve her right to appeal and petitioner can obtain relief from the July 2, 2009 temporary protective order at the July 27, 2009 hearing on the motion for protective order. Therefore, petitioner is not entitled to extraordinary 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 13, 2009.

[Signature]
Paula A. Nakayama
[Signature]
Kama E. Duffy, Jr.
MIKE A. Recktenwald