

NO. 30190

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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LOREN D. HAMMOND, Petitioner,

vs.

DEPARTMENT OF PUBLIC SAFETY, STATE OF HAWAI'I, Respondent.

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ORIGINAL PROCEEDING

ORDER

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

Upon consideration of Loren D. Hammond's November 19, 2009 letter, which is deemed a petition for a writ of mandamus, it appears that petitioner fails to present a clear and certain claim for relief and therefore, petitioner is not entitled to mandamus relief. See Act 75, 26th Leg., Reg. Sess. (2009); In Re Disciplinary Bd. Of Hawaii Supreme Court, 91 Hawai'i 363, 368, 984 P.2d 688, 693 (1999) (Mandamus relief is available to compel an official to perform a duty allegedly owed to an individual only if the individual's claim is clear and certain, the official's duty is ministerial and so plainly prescribed as to be free from doubt, and no other remedy is available.).

Accordingly,

IT IS HEREBY ORDERED that the clerk of the appellate court shall process the petition for a writ of mandamus without payment of the filing fee.

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

DATED: Honolulu, Hawai'i, December 3, 2009.