

Wolff v. Ngiraklsong, 9 ROP 22 (2001)
MARTIN WOLFF,
Petitioner,

v.

**THE HONORABLE ARTHUR NGIRAKLSONG, CHIEF JUSTICE OF THE PALAU
SUPREME COURT,**
Respondent.

SPECIAL PROCEEDING NO. 01-02
Criminal Case No. 99-253

Supreme Court, Appellate Division
Republic of Palau

Decided: October 31, 2001

[1] **Appeal and Error:** Frivolous Petitions

When a litigant needs clarification of a trial court's order, he should seek it in the trial court and not file a petition for extraordinary relief in the Appellate Division.

[2] **Appeal and Error:** Frivolous Petitions

Sanctions are possible where litigant files frivolous petitions for extraordinary relief in the Appellate Division.

Counsel for Petitioner: Pro Se

BEFORE: LARRY W. MILLER, Associate Justice; R. BARRIE MICHELSEN, Associate Justice; KATHLEEN M. SALII, Associate Justice.

PER CURIAM:

[1, 2] Martin Wolff filed a petition for a writ of mandamus, requesting that this court direct the trial court judge to rule on the merits of Mr. Wolff's "Motion to Withdraw Motion to Confirm Plea Agreement." As we read the record, however, in the court's October 26, 2001 decision to strike Mr. Wolff's motion to withdraw, the merits were reached and the trial court considered the plea agreement a nullity. In any event, if Mr. Wolff needs clarification of the trial court's order, he should seek it in the trial court. Finally, we note that Mr. Wolff has now filed three requests for extraordinary relief this month, and each time we have found such relief unwarranted. Accordingly, Mr. Wolff should keep in mind the possibility of sanctions should he file frivolous petitions for extraordinary relief in this court.

Accordingly, the petition for a writ of mandamus is DENIED.