

**Electronically Filed
Supreme Court
SCWC-11-0000054
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NO. SCWC-11-0000054

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ASSOCIATION OF CONDOMINIUM HOMEOWNERS OF TROPICS AT WAIKELE,
by its Board of Directors, Respondent/Plaintiff-Appellee,

vs.

PATSY NAOMI SAKUMA, Petitioner/Defendant-Appellant,

and

FIRST HAWAIIAN BANK, a Hawai'i Corporation; and
WAIKELE COMMUNITY ASSOCIATION, a Hawai'i nonprofit corporation,
Respondents/Defendants-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(ICA NO. CAAP-11-0000054; CIV. NO. 07-1-1487)

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI

(By: Nakayama, Acting C.J., Acoba, Duffy, and McKenna, JJ. and
Circuit Judge Perkins, in place of Recktenwald, C.J., recused)

Petitioner/defendant-appellant Patsy Naomi Sakuma's
application for writ of certiorari, filed on November 4, 2011,
was filed more than ninety days after the filing of the ICA's
August 3, 2011 dismissal order. The application is untimely.
See HRS § 602-59(c) (Supp. 2010) ("An application for writ of
certiorari may be filed with the supreme court no later than
ninety days after the filing of the judgment or dismissal order

of the intermediate appellate court."). Therefore,

IT IS HEREBY ORDERED that the application for writ of certiorari is dismissed.

DATED: Honolulu, Hawai'i, November 22, 2011.

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna

/s/ Richard K. Perkins

