

**Electronically Filed
Supreme Court
SCWC-11-0000594
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SCWC-11-0000594

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

JASON KAWAKAMI, individually and on behalf of all others
similarly situated, Petitioner/Plaintiff-Appellant/
Cross-Appellee,

vs.

KAHALA HOTEL INVESTORS, LLC, dba KAHALA HOTEL AND RESORT,
Respondent/Defendant-Appellee/Cross-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-11-0000594; CIVIL NO. 08-1-2496)

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI
(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

It appearing that the judgment on appeal in the above-
referenced matter not having been filed by the Intermediate Court
of Appeals at the time the application for certiorari was filed,
see Hawai‘i Revised Statutes § 602-59(a) (Supp. 2013); see also
Hawai‘i Rules of Appellate Procedure (HRAP) Rule 36(b)(1) (2013),

IT IS HEREBY ORDERED that Petitioner/Plaintiff-
Appellant’s application for writ of certiorari, filed April 24,
2014, is dismissed without prejudice to re-filing the application
pursuant to HRAP Rule 40.1(a) (2013) (“The application shall be
filed within thirty days after the filing of the intermediate court

of appeals' judgment on appeal or dismissal order, unless the time for filing the application is extended in accordance with this rule.").

DATED: Honolulu, Hawai'i, May 7, 2014.

John Francis Perkin,
Brandee J.K. Faria, and
Michelle L. Premeaux
for petitioner

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

