

**Electronically Filed
Supreme Court
SCWC-12-0000870
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SCWC-12-0000870

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
(CAAP-12-0000870; CIV. NO. 07-1-1487)

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI

(By: Nakayama, Acting C.J., McKenna, Pollack, and Wilson, JJ.
and Circuit Judge Kubo, in place of Recktenwald, C.J, recused)

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 writ of certiorari and the amended application for writ of certiorari were filed, see Hawai'i Revised Statutes § 602-59(a) (Supp. 2013); see also Hawai'i Rules of Appellate Procedure (HRAP) Rule 36(b)(1) (2012),

IT IS HEREBY ORDERED that Petitioner/Defendant-Appellant's application for writ of certiorari, filed

September 18, 2015, and the amended application for writ of certiorari, filed September 21, 2015, are dismissed without prejudice to re-filing the application pursuant to HRAP Rule 40.1(a) (2014) ("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, September 22, 2015.

Pat N. Sakuma,
petitioner pro se

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

/s/ Edward H. Kubo, Jr.

