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Supreme Court
SCWC-16-0000590
29-SEP-2017
11:52 AM

SCWC-16-0000590

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent/Plaintiff-Appellee,

v.

RYAN K. STONE, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-16-0000590; CASE NO. 1DTA-15-04984)

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

It appears that the Intermediate Court of Appeals had not filed a judgment on appeal in the above-referenced matter at the time the application for writ of 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) (2012).

IT IS HEREBY ORDERED that Petitioner's application for writ of certiorari, filed September 22, 2017, is dismissed without prejudice to re-filing the application pursuant to HRAP Rule 40.1(a) (2016) ("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 29, 2017.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

