

NO. 29798

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

PASCAL C. BOLOMET and ROUTH T. BOLOMET,
Petitioners/Plaintiffs-Appellants,

vs.

RLI INSURANCE COMPANY, JAMES G. McLEAN, and ANNE L. McLEAN,
Respondents/Defendants-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CIVIL NO. 05-1-2222)

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI
(By: Moon, C.J., for the court¹)

Petitioners/plaintiffs-appellants Pascal C. Bolomet and Routh T. Bolomet's petition for writ of certiorari, filed on July 6, 2010, seeks review of the Intermediate Court of Appeals' (ICA) "April 5, 2010 finding of lack of jurisdiction," which appears to be the ICA's April 5, 2010 order denying petitioners' motion for reconsideration of the ICA's March 15, 2010 order dismissing petitioners' appeal for lack of appellate jurisdiction. The ICA's April 5, 2010 order denying reconsideration of the dismissal order is not reviewable by this court by application for a writ of certiorari. See HRS § 602-59(a) (Supp. 2009) ("After issuance of the [ICA's] judgment or dismissal order, a party may seek review of the [ICA's] decision and judgment or dismissal order only by application to the supreme court for a writ of certiorari[.]"). The ICA's March 15, 2010 dismissal order is reviewable by this court by application for a writ of certiorari, but no application for a writ of certiorari was filed

¹ Considered by: Moon, C.J., Nakayama, Acoba, Duffy, and Recktenwald, JJ.)

by petitioners within ninety days after entry of the March 15, 2010 dismissal order. See HRS § 602-59(c) (Supp. 2009) ("An application for a 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 [ICA]."). Therefore,

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

DATED: Honolulu, Hawai'i, July 27, 2010.

FOR THE COURT:

Chief Justice