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Supreme Court  
SCWC-30254  
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SCWC-30254

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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EDMUND M. ABORDO, Petitioner/Petitioner-Appellant,

vs.

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

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(S.P.P. NO. 09-1-0026; S.P. NO. 09-1-0426; CR. NO. 93-0737)

AMENDED ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI  
WITHOUT PREJUDICE

(By: McKenna, J., for the court<sup>1</sup>)

It appearing that the judgment on appeal in the above-referenced matter has not been entered by the Intermediate Court of Appeals, see Hawai'i Revised Statutes § 602-59(a) (Supp. 2008); see also Hawai'i Rules of Appellate Procedure (HRAP) Rule 36(b) (1) (2008),

IT IS HEREBY ORDERED that Petitioner/Petitioner-Appellant's application for writ of certiorari, filed on July 5, 2011,<sup>2</sup> is dismissed without prejudice to re-filing the

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<sup>1</sup> Court: Recktenwald, C.J., Nakayama, Duffy, and McKenna, JJ., and Circuit Judge Ahn, in place of Acoba, J., recused.

<sup>2</sup> In the July 7, 2011 Order Dismissing Application for Writ of Certiorari Without Prejudice the incorrect date of June 14, 2010 was listed.

application pursuant to HRAP Rule 40.1(a) ("No later than 90 days after the filing of the intermediate court of appeals' judgment on appeal or dismissal order, any party may apply in writing to the supreme court for a writ of certiorari.").

DATED: Honolulu, Hawai'i, July 8, 2011.

FOR THE COURT:

/s/ Sabrina S. McKenna

Associate Justice

