

Electronically Filed
Supreme Court
SCWC-10-0000212
07-JAN-2013
11:19 AM

SCWC-10-0000212

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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

vs.

SAGE MILLION, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-10-0000212; CR. NO. 08-1-0023)

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI

(By: Recktenwald, C.J., Nakayama, Acoba, McKenna, and Pollack, JJ.)

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. 2011); 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 December 27, 2012, is dismissed without prejudice to re-filing the application pursuant to HRAP Rule 40.1(a) (2012) (“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, January 7, 2013.

Jefferson R. Malate,
for petitioner

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

