

NO. 29989

IN THE SUPREME COURT OF THE STATE OF HAWAII

MARK J. BENNETT, Attorney General
of the State of Hawaii, Petitioner-Appellee,

vs.

FRANK DE GIACOMO, Respondent-Appellant,

and

ANIMAL CARE FOUNDATION, INC., Respondent.

(NO. 29989)

FILED
CLERK APPELLATE COURTS
STATE OF HAWAII
E.L. PINABO

2010 APR 13 AM 11:02

FILED

MARK J. BENNETT, Attorney General
of the State of Hawaii, Petitioner-Appellee,

vs.

FRANK DE GIACOMO, Respondent-Appellant,

and

ANIMAL CARE FOUNDATION, INC., Respondent.

(NO. 29973)

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(S.P. No. 09-1-0208)

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

Petitioner/respondent-appellant Frank De Giacomo's application for writ of certiorari, filed on March 22, 2010, was filed more than ninety days after the filing of the ICA's December 11, 2009 order of dismissal. The application is


¹ Considered by: Moon, C.J., Nakayama, Acoba, and Duffy, JJ., and Circuit Judge Sakamoto, in place of Recktenwald, J., recused.

untimely. See HRS § 602-59(c) (Supp. 2009). Therefore,

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

DATED: Honolulu, Hawai'i, April 13, 2010.

FOR THE COURT:


Chief Justice

