Electronically Filed Supreme Court SCWC-29588 10-OCT-2011 10:46 AM

## NO. SCWC-29588

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

WILLIAM WENDELL RAMSEY, Petitioner/Petitioner-Appellant,

vs.

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

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (ICA NO. 29588; S.P.P. NOS. 06-1-0002(3), 08-1-0014(3) and 08-1-0017(3))

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI (By: Recktenwald, C.J., Nakayama, Acoba, Duffy, and McKenna, JJ.) Petitioner/Petitioner-Appellant William Wendell Ramsey's application for writ of certiorari, filed on August 26, 2011, was filed more than ninety days after the filing of the ICA's May 27, 2011 judgment on appeal. The application is untimely and thus, this court lacks appellate jurisdiction. <u>See</u> HRS § 602-59(c) (Supp. 2010); HRAP Rule 40.1(a). Therefore,

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

DATED: Honolulu, Hawai'i, October 10, 2011.

William H. Jameson, Jr., on the application for petitioner/petitionerappellant.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

- /s/ James E. Duffy, Jr.
- /s/ Sabrina S. McKenna