

Electronically Filed
Supreme Court
SCWC-11-0000153
21-JUN-2012
12:41 PM

NO. SCWC-11-0000153

IN THE SUPREME COURT OF THE STATE OF HAWAII

IN THE INTEREST OF M. CHILDREN: BM

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(ICA NO. CAAP-11-0000153; FC-S NO. 08-11988)

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI

(By: Recktenwald, C.J., Nakayama, J., Circuit Judge Del Rosario, in place of McKenna, J., recused, and Circuit Judge Kim, assigned by reason of vacancy, with Acoba, J., dissenting separately)

Petitioner/Appellant Mother's application for writ of certiorari, filed on May 8, 2012, was filed more than thirty days after the filing of the ICA's February 9, 2012 judgment on appeal. The application is untimely and thus, this court lacks appellate jurisdiction. See HRS § 602-59(c) (Supp. 2011); HRAP Rule 40.1(a). Therefore,

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

DATED: Honolulu, Hawai'i, June 21, 2012.

Herbert Y. Hamada
for petitioner

/s/ Mark E. Recktenwald

Robert T. Nakatsuji,
Deputy Solicitor General,
for respondent

/s/ Paula A. Nakayama

/s/ Dexter D. Del Rosario

/s/ Glenn J. Kim

