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Supreme Court  
SCWC-15-0000408  
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SCWC-15-0000408

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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GERALD MANULEI VILLANUEVA,  
Petitioner/Petitioner-Appellant,

vs.

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

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CAAP-15-0000408; S.P.P. NO. 14-1-003(2);  
CR. NO. 96-0078(2))

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI  
(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

It appearing that although the Intermediate Court of Appeals (ICA) issued a Summary Disposition Order on March 30, 2016, the judgment on appeal had not been filed by the ICA at the time the application for writ of certiorari was filed, see Hawai‘i Revised Statutes § 602-59(a) (Supp. 2013); see also Hawai‘i Rules of Appellate Procedure (HRAP) Rule 36(b)(1) (2012),

IT IS HEREBY ORDERED that Petitioner/Petitioner-Appellant’s application for writ of certiorari, filed May 9, 2016 is dismissed without prejudice to re-filing the

application pursuant to HRAP Rule 40.1(a) (2014). ("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, May 12, 2016.

Gerald Manulei Villanueva,  
petitioner pro se

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

