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Supreme Court  
SCWC-15-0000479  
10-NOV-2016  
10:46 AM

SCWC-15-0000479

IN THE SUPREME COURT OF THE STATE OF HAWAII

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GUSTAFSON REAL ESTATE LLC,  
Respondent/Plaintiff-Appellee,

vs.

MICHAEL WATKINS,  
Petitioner/Defendant-Appellant.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CAAP-15-0000479; CIVIL CASE NO. 1RC15-1-3764)

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

Upon consideration of petitioner/defendant-appellant Michael Watkins's application for writ of certiorari, it appears that Watkins's application was due on September 21, 2016, which was 30 days after the Intermediate Court of Appeals' August 22, 2016 judgment. Hawai'i Revised Statutes (HRS) § 602-59(c) (Supp. 2014); Hawai'i Rules of Appellate Procedure (HRAP) Rule 40.1(a)(1)(2016). It further appears that Watkins requested an extension of time on October 14, 2016, which was untimely and was appropriately denied. HRS § 602-59(c); HRAP Rule 40.1(a)(4).

Watkins's application was filed on October 24, 2016. The application is untimely and thus, this court lacks appellate

jurisdiction. Therefore,

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

DATED: Honolulu, Hawai'i, November 10, 2016.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

