

**Electronically Filed
Supreme Court
SCWC-15-0000742
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SCWC-15-0000742

IN THE SUPREME COURT OF THE STATE OF HAWAII

WELLS FARGO BANK, N.A.,
Respondent/Plaintiff-Appellee,

vs.

THEODORICO ERUM, JR.,
Petitioner/Defendant-Appellant,
and
CHILD SUPPORT ENFORCEMENT AGENCY-KAUAI BRANCH, COUNTY OF KAUAI,
KOLOA MARKETPLACE, LLC, STATE OF HAWAII-DEPARTMENT OF TAXATION,
and KAUAI CREDIT ADJUSTERS LIMITED,
Respondents/Defendants-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-15-0000742; CIV. NO. 13-1-0288)

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

Upon consideration of Petitioner/Defendant-Appellant Theodorico Erum, Jr.'s (Erum) application for writ of certiorari, and the record herein, it appears that Erum's application was due on January 16, 2018, which was 60 days after the Intermediate Court of Appeal's November 17, 2017 Order Granting Intervenor Robert Rosen's Motion (1) For Reconsideration of Summary Disposition Order Filed September 5, 2017 and (2) To Dismiss the

Appeal As Moot. See Hawai‘i Revised Statutes (HRS) § 602-59(c) (Supp. 2017); Hawai‘i Rules of Appellate Procedure (HRAP) Rule 40.1(a) (2017). It further appears that Erum timely filed and was granted an extension of time to file his application, which extended the deadline from 30 to 60 days. Erum’s second request for an extension of time filed on February 23, 2018 was denied. See HRS § 602-59(c); HRAP Rule 40.1(a).

Erum’s application was filed on February 22, 2018. 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, March 21, 2018.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

