

**Electronically Filed
Supreme Court
SCWC-18-000099
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SCWC-18-000099 and SCWC-18-0000712

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

WILMINGTON SAVINGS FUND SOCIETY, FSB,
DOING BUSINESS AS CHRISTINA TRUST,
NOT IN ITS INDIVIDUAL CAPACITY,
BUT SOLELY AS TRUSTEE FOR BCAT 2015-14BTT,
Respondent/Plaintiff-Appellee,

vs.

ISABELO PACPACO DOMINGO; MICHELE ELANOR DOMINGO,
Petitioners/Defendants-Appellants,

and

BANK OF AMERICA, N.A.; HALEWILI PLACE COMMUNITY ASSOCIATION,
Respondents/Defendants-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-18-000099; CAAP-18-0000712; CIV. NO. 13-1-202K)

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

It appearing that the judgment on appeal in the above-referenced matter not having been filed by the Intermediate Court of Appeals at the time the application for writ of

certiorari was filed, see Hawai‘i Revised Statutes § 602-59(a) (2017); see also Hawai‘i Rules of Appellate Procedure (HRAP) Rule 36(b)(1) (2016),

IT IS HEREBY ORDERED that Petitioners/Defendants-Appellants’ application for writ of certiorari, filed October 7, 2022, is dismissed without prejudice to re-filing the application pursuant to HRAP Rule 40.1(a) (2020) (“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, October 11, 2022.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

