

Electronically Filed
Supreme Court
SCWC-23-0000347
04-FEB-2026
09:09 AM
Dkt. 6 ODSAC

SCWC-23-0000347

IN THE SUPREME COURT OF THE STATE OF HAWAII

WEI LING FUNG,
Petitioner/Plaintiff/Counterclaim Defendant-Appellant,

vs.

WA CHAM HOI,
Respondent/Defendant/Counterclaimant/
Third-Party Plaintiff-Appellee,

and

FUGANG XIA aka SUMMER,
Petitioner/Third-Party Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-23-0000347; CASE. NO. 1DRC-21-0003362)

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI
(By: McKenna, Acting C.J., Eddins, Ginoza, and Devens, JJ.,
and Circuit Judge Castagnetti, assigned by reason of vacancy)

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 ordered that Petitioners' application for writ of certiorari, filed February 2, 2026, is dismissed without prejudice to re-filing the application pursuant to HRAP Rule 40.1(a) (2023) ("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, February 4, 2026.

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Vladimir P. Devens

/s/ Jeannette H. Castagnetti

