

**Electronically Filed
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SCWC-23-0000542

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

M.S., Respondent/Plaintiff-Appellee,

vs.

L.S., Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-23-0000542; CASE NO. 5FDV-22-0000174)

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI
(By: Devens, C.J., McKenna, and Eddins, JJ.;
and Ginoza, J., dissenting, with whom
Circuit Judge Jackson, assigned by reason of vacancy, joins)

Petitioner/Defendant-Appellant L.S.’ application for writ
of certiorari filed on April 14, 2026, is accepted.

It is further ordered, that no oral argument will be heard
in this case. Any party may, within ten days and pursuant
to Rule 34(c) of the Hawai‘i Rules of Appellate Procedure, move
for retention of oral argument.

DATED: Honolulu, Hawai‘i, May 22, 2026.

/s/ Vladimir P. Devens

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins



DISSENT BY GINOZA, J.

I respectfully dissent to the majority's Order Accepting Application for Writ of Certiorari, and would dismiss the application as untimely. See Hawai'i Revised Statutes § 602-59(c) (Supp. 2017); Hawai'i Rules of Appellate Procedure Rule 40.1(a) ("A party may seek review of the intermediate court of appeals' decision by filing an application for a writ of certiorari in the supreme court. The application shall be filed within 30 days after the filing of the intermediate court of appeals' judgment on appeal . . . unless the time for filing the application is extended in accordance with this Rule.").

/s/ Lisa M. Ginoza

/s/ Kauanoë A.D. Jackson