

**Electronically Filed
Supreme Court
SCWC-25-0000330
29-OCT-2026
12:00 PM
Dkt. 42 OGAC**

SCWC-25-0000330

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

P.C.,
Petitioner/Plaintiff-Appellant,

vs.

G.S.,
Respondent/Defendant-Appellee.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-25-0000330; CASE NO. 3FDV-23-0000381)

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI

(By: Devens, C.J., McKenna, and Eddins, JJ., and
Circuit Judge Remigio, assigned by reason of vacancy;
and Ginoza, J., dissenting)

Pursuant to this court’s discretion set forth in Hawai‘i
Revised Statutes § 602-59(a), the court accepts
Petitioner/Plaintiff-Appellant P.C.’s application for writ of
certiorari filed on August 13, 2026, deemed timely filed as of
September 1, 2026.

Under Hawai‘i Rules of Appellate Procedure (HRAP) Rule 40.1,
this court “may limit the question on review.” Here, we limit

the question on review to the second question presented in
Petitioner's application for writ of certiorari:

Whether the ICA gravely erred in holding that HRS § 571-46(a)(9) was properly applied and "effectively rebutted" after the Family Court found Father committed family violence against Mother, where the statute makes safety and well-being primary and raises a rebuttable presumption against awarding custody to a perpetrator of family violence.

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

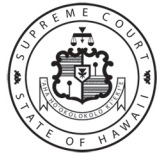
DATED: Honolulu, Hawai'i, October 29, 2026.

/s/ Vladimir P. Devens

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Catherine H. Remigio



DISSENT BY GINOZA, J.

I respectfully dissent to the Order Accepting Application for Writ of Certiorari because the application was untimely and this court lacks jurisdiction. See Hawai'i Revised Statutes § 602-59(c) (Supp. 2017) (establishing the statutory time limit for filing an application for writ of certiorari).

/s/ Lisa M. Ginoza