STATE OF HAWAI'I, Respondent/Plaintiff-Appellee

vs.

JASON K. PERRY, Petitioner/Defendant-Appellant

and

RYAN H. ONUMA, DELANEO K. PUHA, JAMISON MITCHELL, MARVIN T. CADIZ, VAUGHN N. KAUMOANA, and DAVID V.C. MAGALEI, Defendants

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 02-1-0796)

## ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI AS UNTIMELY

Duffy, J., for the court<sup>1</sup>)

Petitioner/Defendant-Appellant Jason K. Perry's application for a writ of certiorari, filed on August 20, 2007, is hereby dismissed as untimely.

DATED: Honolulu, Hawai'i, August 31, 2007.

FOR THE COURT:

Associate Justice

Joseph A. Gomes for petitioner/ defendant-appellant on the application

<sup>&</sup>lt;sup>1</sup> Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.