

NO. 28089

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

RICHARD BLAISDELL, Plaintiff-Appellant,
vs.

DEPARTMENT OF PUBLIC SAFETY, Defendant-Appellee.

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 04-1-1455)

FILED
HONOLULU
STATE OF HAWAII
APPELLATE COURTS

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FILED

ORDER DISMISSING CASE NO. 28089 AND PERMITTING
PLAINTIFF-APPELLANT TO FILE AN APPROPRIATE APPLICATION
FOR WRIT OF CERTIORARI IN ACCORDANCE WITH
HAWAI'I RULES OF APPELLATE PROCEDURE RULE 40.1
(By: Moon, C.J., for the court¹)

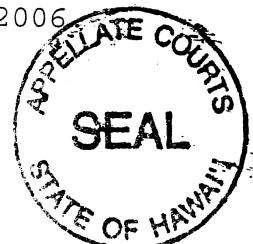
It appearing that (1) plaintiff-appellant Richard Blaisdell filed a "notice of appeal," seeking review of the Intermediate Court of Appeals (ICA)'s July 26, 2006 Summary Disposition Order (SDO) that affirmed the Circuit Court of the First Circuit's final judgment, (2) the appropriate vehicle for seeking review of the ICA's SDO is an application for a writ of certiorari, pursuant to Hawai'i Rules of Appellate Procedure Rule 40.1 and Hawai'i Revised Statutes § 602-59, as amended by Act 149 of the 2006 Hawai'i Session Laws, and (3) inasmuch as the ICA's judgment on appeal was filed on August 30, 2006, the deadline to file the application for a writ of certiorari will not expire until November 28, 2006,

IT IS HEREBY ORDERED that the "appeal" in No. 28089 is dismissed, and Blaisdell may, if he so chooses, file an application for a writ of certiorari in accordance with HRAP Rule 40.1 in Appeal No. 27170. The application must be filed by the close of business on November 28, 2006.

DATED: Honolulu, Hawai'i, November 1, 2006

FOR THE COURT:

[Signature]
Chief Justice



¹ Considered by: Moon, C. J., Levinson, Nakayama, Ramil, and Acoba, JJ.