

NO. 27710

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

HEATHER WHITFIELD OUTLAW, formerly known as
HEATHER KURPIS, Respondent/Plaintiff-Appellant

vs

PETER KURPIS, Petitioner/Defendant-Appellant

K. HAMAKADO
CLERK OF APPELLATE COURTS
STATE OF HAWAII

2007 FEB 21 PM 1:29

FILED

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(FC-D NO. 98-150K)

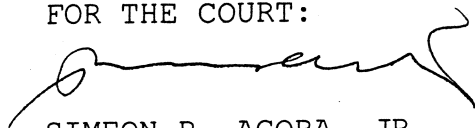
ORDER DENYING MOTION FOR CORRECTION OF ERROR,
OR, IN THE ALTERNATIVE, EXTENSION OF TIME
(By: Acoba, J., for the court¹)

Upon consideration of Petitioner/Defendant-Appellant's Motion for Correction of Error, or, in the Alternative, Extension of Time, and the attachments thereto, it appears that the filing of an application for a writ of certiorari is measured from the filing of the judgment on appeal, not service of the judgment on appeal, and HRAP Rule 26(c) does not apply. It further appears that HRS § 602-59(c) (Supp. 2006) does not authorize the appellate court to extend the ninety-day period for filing an application for a writ of certiorari. Therefore,

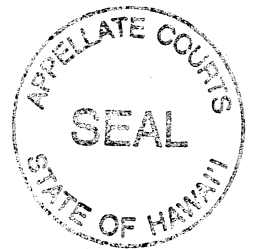
IT IS HEREBY ORDERED that the motion is denied.

DATED: Honolulu, Hawai'i, February 21, 2007.

FOR THE COURT:



SIMEON R. ACOBA, JR.
Associate Justice



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