

**Electronically Filed
Supreme Court
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SCWC-12-0000723

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

CITIBANK (SOUTH DAKOTA), N.A., Respondent/Plaintiff-Appellee,

vs.

DYLAN THEDE, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-12-0000723; CIV. NO. 11-1-0115)

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI
(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

Upon consideration of petitioner/defendant-appellant Dylan Thede's application for writ of certiorari, it appears that Thede's application was due on September 2, 2015, which was 30 days after the Intermediate Court of Appeals' August 3, 2015 judgment. Hawai'i Revised Statutes (HRS) § 602-59(c) (Supp. 2014); Hawai'i Rules of Appellate Procedure (HRAP) Rule 40.1(a)(1) (2015). It further appears that Thede requested an extension of time on September 4, 2015, which was untimely and was appropriately denied. HRS § 602-59(c); HRAP Rule 40.1(a)(3).

Thede's application was filed on October 2, 2015. The application is untimely and thus, this court lacks appellate jurisdiction. Therefore,

IT IS HEREBY ORDERED that the application for writ of certiorari is dismissed.

DATED: Honolulu, Hawai'i, October 20, 2015.

Dylan Thede,
petitioner pro se

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

