

**Electronically Filed  
Supreme Court  
SCWC-15-0000254  
15-SEP-2015  
07:50 AM**

SCWC-15-0000254

IN THE SUPREME COURT OF THE STATE OF HAWAII

---

THE BANK OF NEW YORK MELLON FORMERLY KNOWN AS THE BANK OF NEW YORK AS SUCCESSOR TRUSTEE TO JP MORGAN CHASE BANK, NATIONAL ASSOCIATION AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF STRUCTURED ASSET MORTGAGE INVESTMENT II INC. BEAR STEARNS ALT-A TRUST, MORTGAGE PASS THROUGH CERTIFICATE SERIES 2006-2,  
Respondent/Plaintiff-Appellee,

vs.

MARCELO MAGNO LOPEZ, JR.,  
Petitioner/Defendant-Appellant,

and

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC., SOLELY AS NOMINEE FOR PREFERRED FINANCIAL GROUP, INC. DBA PREFERRED MORTGAGE SERVICES and DOES 1 THROUGH 20, INCLUSIVE,  
Defendants-Appellees.

---

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CAAP-15-0000254; CIV. NO. 10-1-0414)

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

On August 3, 2015, petitioner/defendant-appellant Marcelo Magno Lopez, Jr. ("Lopez") filed an application for writ of certiorari to review the Intermediate Court of Appeals' May 19, 2015 order dismissing his appeal. The application for writ of certiorari was initially due on June 18, 2015. See HRS § 602-

59(c) (Supp. 2014); HRAP Rule 40.1(a)(1). Lopez, however, timely requested and received an extension of time to file the application for writ of certiorari, thereby extending the deadline for filing the application for writ of certiorari an additional thirty days, to July 20, 2015. See HRS § 602-59(c); HRAP Rule 40.1(a)(3); HRAP Rule 26(a). Lopez filed his application for writ of certiorari on August 3, 2015. The application for writ of certiorari is untimely, and this court lacks appellate jurisdiction. Accordingly,

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

DATED: Honolulu, Hawai'i, September 15, 2015.

Marcelo Magno Lopez, Jr.,  
petitioner pro se

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

