

**Electronically Filed
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SCWC-16-0000784

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

BRIAN E. BENNETT and DEBRA S. BENNETT,
Respondents/Plaintiffs-Appellees/Cross-Appellants,

vs.

SAMUEL JONG HOON CHUNG and LINDA HYUNKONG CHUNG,
Petitioners/Defendants-Appellants/Cross-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-16-0000784; CIVIL NO. 11-1-0882)

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

Petitioners/Defendants-Appellants/Cross-Appellees

Samuel Jong Hoon Chung and Linda Hyunkong Chung filed an application for writ of certiorari before the Intermediate Court of Appeals issued its judgment on appeal. See Hawai'i Revised Statutes § 602-59(a); Hawai'i Rules of Appellate Procedure (HRAP) Rule 36(b)(1). Accordingly, it is ordered that the Petitioners/Defendants-Appellants/Cross-Appellees' application for writ of certiorari filed on May 21, 2021 is dismissed without prejudice to re-filing the application pursuant to HRAP Rule 40.1(a) ("The application shall be filed within thirty days after the filing of the intermediate court of appeals' judgment

on appeal or dismissal order, unless the time for filing the application is extended in accordance with this rule.”).

DATED: Honolulu, Hawai‘i, May 26, 2021.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

