

**Electronically Filed
Supreme Court
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SCWC-18-0000884

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

THONIE B. RIVERA,
Petitioner/Claimant-Appellant,

vs.

DICK PACIFIC CONSTRUCTION COMPANY, LTD.,
Respondent/Employer-Appellee,

and

SEDGWICK CLAIMS MANAGEMENT SERVICES,
Respondent/Insurance Carrier-Appellee.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-18-0000884; CASE NO. AB 2015-353; DCD NO. 2-08-10160)

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

It appearing that the judgment on appeal or order dismissing appeal in the above-referenced matter has not been filed by the Intermediate Court of Appeals at the time the application for writ of certiorari was filed, see Hawai‘i Revised Statutes § 602-59(a) (2017); see also Hawai‘i Rules of Appellate Procedure (HRAP) Rule 36(b)(1) (2016),

IT IS HEREBY ORDERED that Petitioner's application for writ of certiorari, filed January 10, 2024, is dismissed without prejudice to re-filing the application pursuant to HRAP Rule 40.1(a) (2023) ("The application shall be filed within 30 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, February 12, 2024.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Vladimir P. Devens

