

**Electronically Filed
Supreme Court
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SCWC-11-0000369

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

JEFFREY JOSEPH PLAUCHE,
Petitioner/Plaintiff/Counterclaim-Defendant/Appellant,

vs.

ELISA WATKINS PLAUCHE,
Respondent/Defendant/Counterclaimant/Appellee.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-11-0000369; FC-D NO. 10-1-0070)

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

It appearing that the judgment on appeal in the above-referenced matter has not been entered by the Intermediate Court of Appeals, see Hawai'i Revised Statutes § 602-59(a) (Supp. 2011); see also Hawai'i Rules of Appellate Procedure (HRAP) Rule 36(b) (1) (2012),

IT IS HEREBY ORDERED that Petitioner/Plaintiff/Counterclaim-Defendant/Appellant's application for writ of certiorari, filed on March 25, 2013, is dismissed without prejudice to re-filing the application pursuant to HRAP Rule 40.1(a) (2012) ("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, March 28, 2013.

Jeffrey J. Plauche, pro se
on the application

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

