

**Electronically Filed  
Supreme Court  
SCWC-12-0000446  
17-JUL-2013  
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SCWC-12-0000446

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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THE BANK OF NEW YORK MELLON fka THE BANK OF NEW YORK AS TRUSTEE  
FOR THE CERTIFICATEHOLDERS CWMB5, INC., CHL MORTGAGE PASS-THROUGH  
CERTIFICATES SERIES 2006-12,  
Respondents/Plaintiffs-Appellees,

vs.

ARNA LAHELA JOHNSON AND GERALYN LAPITAN CAMARILLO,  
Petitioners/Defendants-Appellants.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CAAP-12-0000446; CIVIL NO. 1RC10-1-10634)

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 not having been filed by the Intermediate Court of Appeals at the time the application for certiorari was filed, 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 Petitioners/Defendants-Appellants Arna Lahela Johnson and Geralyn Lapitan Camarillo’s application for writ of certiorari, filed July 2, 2013, is dismissed without prejudice to re-filing the application pursuant to HRAP Rule 40.1(a) (2012) (“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, July 17, 2013.

R. Steven Geshell,  
for petitioners

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

