

**Electronically Filed
Supreme Court
SCWC-30065
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SCWC-30065

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

WILLARD M. IMAMOTO, Petitioner/Plaintiff-Appellant,

vs.

KAHI MOHALA HOSPITAL, NAOMI MORGAN, DUDLEY AKAMA, THE DEPARTMENT
OF THE ATTORNEY GENERAL, Respondents/Defendants-Appellees.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(ICA NO. 30065; CIV. NO. 06-1-2068)

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 Petitioner/Plaintiff-Appellant Willard M. Imamoto's application for writ of certiorari, filed May 28, 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, June 5, 2013.

Willard M. Imamoto,
petitioner, pro se

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

