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Supreme Court
SCWC-30498
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NO. SCWC-30498

IN THE SUPREME COURT OF THE STATE OF HAWAII

STATE OF HAWAII, Respondent/Plaintiff-Appellee,

vs.

ROBERT GRANT, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(ICA NO. 30498; CR. NO. 08-1-0521)

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI
(By: Recktenwald, C.J., Nakayama, and McKenna, JJ.,
and Circuit Judge Garibaldi, in place of Duffy, J.,
recused, with Acoba, J., dissenting separately)

Petitioner/Defendant-Appellant Robert Grant's application for writ of certiorari, filed on April 9, 2012, was filed more than thirty days after the filing of the ICA's January 6, 2012 judgment on appeal. The application is untimely and thus, this court lacks appellate jurisdiction. See HRS § 602-59(c) (Supp. 2011); HRAP Rule 40.1(a). Therefore,

IT IS HEREBY ORDERED that the application for writ of certiorari is dismissed.

DATED: Honolulu, Hawaii, May 15, 2012.

Francis R. Alcain
(Crudele & De Lima)
for petitioner

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

Ricky R. Damerville,
Deputy Prosecuting Attorney,
for respondent

/s/ Sabrina S. McKenna

/s/ Colette Y. Garibaldi

