

NO. 25602

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I,
Plaintiff-Appellee-Respondent,

vs.

RUTA TUPUA,
Defendant-Appellant-Petitioner,

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

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FILED

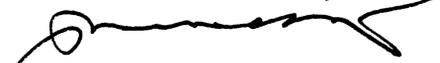
CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 02-1-0676)

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI
(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of the application for a writ of certiorari filed on March 30, 2005, by the defendant-appellant-petitioner Ruta Tupua, the same, being untimely, is hereby dismissed for lack of appellate jurisdiction. See Hawai'i Revised Statutes § 602-59(c); Hawai'i Rules of Appellate Procedure Rule 40.1(a); Korsak v. Hawai'i Permanente Med. Group, 94 Hawai'i 297, 305, 12 P.3d 1238, 1246 (2000) (dismissing certiorari proceedings for lack of appellate jurisdiction because petitioner's application for writ of certiorari was untimely, inasmuch as the application was filed two days after the thirty day deadline).

DATED: Honolulu, Hawai'i, April 11, 2005.

Jacob Merrill,
for defendant-appellant
Ruta Tupua, on the writ


Steven Levinson
Pamela A. Nakayama

James F. Duffy, Jr.