

NO. 28617

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent/Plaintiff-Appellee

vs.

LILLIAN M. HUSSEIN, Petitioner/Defendant-Appellant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS

- (NO. 28617 - CR. NO. 06-1-0696,
- NO. 28618 - CR. NO. 06-1-2157,
- NO. 28619 - CR. NO. 06-1-2158,
- NO. 28620 - CR. NO. 06-1-2159,
- NO. 28621 - CR. NO. 06-1-2160,
- NO. 28622 - CR. NO. 06-1-2161,
- NO. 28623 - CR. NO. 06-1-2162,
- NO. 28624 - CR. NO. 06-1-2163,
- NO. 28625 - CR. NO. 06-1-2164)

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STATE OF HAWAII

2009 FEB - 6 AM 10:27

FILED

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI
WITHOUT PREJUDICE

(By: Acoba, J., for the court¹)

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), as amended by Act 149 of the 2006 Hawai'i Session Laws; see also Hawai'i Rules of Appellate Procedure (HRAP) Rule 36(b)(1) (2008),

IT IS HEREBY ORDERED that Petitioner/Defendant-Appellant Lillian M. Hussein's application for writ of certiorari, filed February 5, 2009, is dismissed without prejudice to re-filing the application pursuant to HRAP Rule 40.1(a) ("No later than 90 days after the filing of the

¹ Court: Moon, C.J., Nakayama, Acoba, and Duffy, JJ., and Circuit Judge Pollack assigned by reason of vacancy.

intermediate court of appeals' judgment on appeal or dismissal order, any party may apply in writing to the supreme court for a writ of certiorari.").

DATED: Honolulu, Hawai'i, February 6, 2009.

FOR THE COURT:



Associate Justice



Mary Ann Barnard for
petitioner/defendant-
appellant, on the
application.