

# SUPREME COURT OF THE STATE OF HAWAI‘I

## Fung v. Hoi

No. SCWC-23-0000347, Supreme Court of the State of Hawai‘i (February 4, 2026)

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### OPINION

PER CURIAM.

Electronically Filed Supreme Court SCWC-XX-XXXXXXX 04-FEB-2026 09:09 AM Dkt. 6  
ODSAC SCWC-XX-XXXXXXX IN THE SUPREME COURT OF THE STATE OF HAWAI‘I  
WEI LING FUNG, Petitioner/Plaintiff/Counterclaim Defendant-Appellant, vs. WA CHAM HOI,  
Respondent/Defendant/Counterclaimant/ Third-Party Plaintiff-Appellee, and FUGANG XIA aka  
SUMMER, Petitioner/Third-Party Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CAAP-XX-XXXXXXX;  
CASE. NO. 1DRC-XX-XXXXXXX) ORDER DISMISSING APPLICATION FOR WRIT OF  
CERTIORARI (By: McKenna, Acting C.J., Eddins, Ginoza, and Devens, JJ., and Circuit Judge  
Castagnetti, assigned by reason of vacancy) 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 writ of certiorari was filed, see Hawai‘i Revised Statutes § 602-59(a) (2017); see  
also Hawai‘i Rules of Appellate Procedure (HRAP) Rule 36(b)(1) (2016), It is ordered that  
Petitioners’ application for writ of certiorari, filed February 2, 2026, is dismissed without  
prejudice to re-filing the application pursuant to HRAP Rule 40.1(a) (2023) (“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, February 4, 2026. /s/ Sabrina S. McKenna /s/ Todd W. Eddins /s/  
Lisa M. Ginoza /s/ Vladimir P. Devens /s/ Jeannette H. Castagnetti 2