

FOR PUBLICATION

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

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DR. GEORGE R. HARKER, Appellant-Appellant, v. JUDITH SHAMOTO, DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS; PATRICIA HAMAMOTO, SUPERINTENDENT OF EDUCATION, DEPARTMENT OF EDUCATION and ROBYN HONDA, PERSONAL SPECIALIST FOR THE DEPARTMENT OF EDUCATION, Appellees-Appellees

NO. 25615

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 02-1-0370(2))

ORDER DENYING MOTION FOR RECONSIDERATION
(By: Burns, C.J., Lim and Nakamura, JJ.)

Appellant George R. Harker's Rule 40 Motion for Reconsideration, filed on May 28, 2004, is denied as the motion was untimely filed. The opinion of the court was filed on May 14, 2004. The ten days within which to file a motion for reconsideration expired on May 24, 2004. The denial of this motion does not preclude Appellant from filing an application for writ of certiorari in the Hawai'i Supreme Court in accordance with Rule 40.1 of the Hawai'i Rules of Appellate Procedure.

DATED: Honolulu, Hawai'i, June 2, 2004.

Dr. George R. Harker,
Appellant Pro Se, on
the motion.

Chief Judge

Associate Judge

Associate Judge