

NO. 26464

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
TOMMY G. MARTIN, Defendant-Appellant

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

2005 JUN 24 AM 9:30

FILED

APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT
(FC-Cr. No. 03-1-0342)

ORDER DENYING DEFENDANT-APPELLANT TOMMY G. MARTIN'S
MOTION FOR RECONSIDERATION
(By: Burns, C.J., Lim and Foley, JJ.)

Defendant-Appellant Tommy G. Martin, by and through his counsel, Lionel M. Riley, filed on June 15, 2005, a motion for reconsideration and clarification of the summary disposition order filed in the above-entitled case by the Intermediate Court of Appeals on May 25, 2005.

Upon consideration of the motion, we note the case is remanded for a new change of plea hearing. Of course, Martin may decline to change his plea, in which case further proceedings will ensue.

Therefore,

IT IS HEREBY ORDERED that the motion for reconsideration is denied.

DATED: Honolulu, Hawai'i, June 24, 2005.

James A. Burns
Chief Judge

[Signature]
Associate Judge

[Signature]
Associate Judge

Lionel M. Riley,
on the motion
for defendant-appellant.

