

NO. 28064

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

BANK OF AMERICA, N.A., Plaintiff-Appellee,
v.
KALE K. GUMAPAC, Defendant-Appellant,
and
KALAMA ENTERPRISES, INC., a Hawai'i corporation,
DIANNE D. GUMAPAC, STATE OF HAWAII, Defendants

E.M. RIMANDO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2006 NOV -3 AM 10: 07

FILED

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CV. NO. 05-1-152)

ORDER DENYING APPELLANT-DEFENDANT KALE K. GUMAPAC'S
OCTOBER 30, 2006 MOTION FOR RECONSIDERATION
(By: Burns, C.J., Lim and Foley, JJ.)

Upon review of (1) the October 11, 2006 order dismissing Defendant-Appellant Kale K. Gumapac's (Appellant Gumapac) appeal from the Honorable Greg K. Nakamura's June 6, 2006 judgment confirming the sale of the foreclosed real estate, (2) Appellant Gumapac's October 30, 2006 (filed ex officio in the third circuit court on October 27, 2006) motion for reconsideration of the October 11, 2006 dismissal order pursuant to Rule 40 of the Hawai'i Rules of Appellate Procedure (HRAP), (3) Plaintiff-Appellee Bank of America, N.S.'s (Appellee Bank of America), October 31, 2006 memorandum in opposition to Appellant Gumapac's October 30, 2006 motion for reconsideration, and (4) the record,

IT IS HEREBY ORDERED that Appellant Gumapac's

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

October 30, 2006 motion for reconsideration pursuant to HRAP
Rule 40 is denied.

DATED: Honolulu, Hawai'i, November 3, 2006.


Chief Judge


Associate Judge


Associate Judge