

NO. 24517

IN THE SUPREME COURT OF THE STATE OF HAWAII

IN THE INTEREST OF

JANE DOE, Born on August 13, 1986
JANE DOE, Born on September 30, 1992
JOHN DOE, Born on December 22, 1997
JOHN DOE, Born on December 2, 1999
JANE DOE, Born on January 19, 1982

Minors

APPEAL FROM THE FAMILY COURT OF THE FIFTH CIRCUIT
(FC-S NO. 99-0429)

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Levinson, Nakayama, Ramil, and Acoba, JJ.
and Circuit Judge Ahn, in place of Moon, C.J., recused.)

Upon consideration of the motion for reconsideration of the December 19, 2001 order dismissing appeal, the papers in support and the record, it appears that the motion for reconsideration was filed on January 8, 2002, more than ten days after the order dismissing appeal was filed on December 19, 2001 and an extension of the ten-day deadline was denied. Thus, the motion for reconsideration is untimely. See HRAP 40(a). Even if the motion for reconsideration is considered on the merits, the twenty-day period for filing the HRS § 571-54 motion for reconsideration is mandatory and cannot be waived. See HRS § 571-54; In the Interest of Jane Doe, 77 Hawaii 109, 113, 883 P.2d 30, 34 (1994); In the Interest of Jane Doe, 3 Haw. App. 391, 394, 651 P.2d 492, 494 (1982). Therefore,

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

DATED: Honolulu, Hawai'i, January 25, 2002.

Caren Dennemeyer
for father-appellant
on the motion