

NO. 23090

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ALLYSON LESLI ONAKA, Plaintiff-Appellee,

vs.

CLARENCE SHIZUO ONAKA; CLARENCE SHIZUO ONAKA as Trustee
under the Unrecorded Clarence S. Onaka Revocable Trust
dated January 2, 1987, Defendants-Appellants,

and

JOHN DOES 1-10; JANE DOES 1-10; DOE CORPORATIONS,
PARTNERSHIPS AND OTHER ENTITIES 1-10, Defendants.

APPEAL FROM THE SECOND CIRCUIT COURT
(CIV. NO. 96-0696(2))

ORDER

(By: Levinson, J.)

Upon consideration of Defendant-Appellant Clarence Shizuo Onaka's motion for remand, the papers in support, and the records and files herein, it appears that: (1) Appellant is appealing from an amended judgment entered by the Circuit Court of the Second Circuit; (2) on February 5, 2002, Appellant, in accordance with Life of the Land v. Ariyoshi, 57 Haw. 249, 553 P.2d 464 (1976), filed an HRCF Rule 60(b) motion for relief from judgment, and the circuit court issued an order indicating that it will grant the motion. Therefore,

IT IS HEREBY ORDERED that:

1. The motion for remand is granted, and this case is remanded to the Circuit Court of the Second Circuit for entry of the order on the HRCF Rule 60(b) motion for relief from judgment. The clerk of the supreme court shall transmit the record in this case to the clerk of the second circuit court forthwith.

2. Within fifteen days after the entry of this order, the circuit court shall enter its order on the HRCP Rule 60(b) motion for relief from judgment.

3. Within five days after the circuit court enters the order, the clerk of the second circuit court shall retransmit the record, including a supplemental record containing the motion for relief from judgment and any related orders or memorandum, to the clerk of the supreme court.

DATED: Honolulu, Hawai'i, May 1, 2002.

STEVEN H. LEVINSON
Associate Justice