

NO. 27051

IN THE SUPREME COURT OF THE STATE OF HAWAII

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STATE OF HAWAII
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2005 JUN 15 PM 1:45

FILED

STATE OF HAWAII, Plaintiff-Appellee

vs.

WALTER LEROY APANA, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIFTH CIRCUIT
(TR2-6 OF 10/21/04)

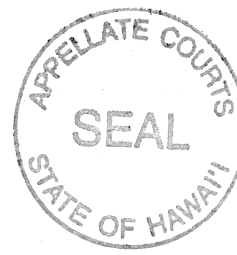
ORDER DENYING RECONSIDERATION

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

By letter dated June 1, 2005 Defendant-Appellant Walter Leroy Apana appears to object to the April 12, 2005 dismissal of his appeal. We view Appellant's letter as a motion for reconsideration of our April 12, 2005 dismissal order. Under Rule 40(a) of the Hawai'i Rules of Appellate Procedure, reconsideration must be sought within ten (10) days after entry of a dispositional order. Therefore,

IT IS HEREBY ORDERED that Appellant's motion for reconsideration is denied.

DATED: Honolulu, Hawai'i, June 15, 2005.



[Handwritten signature]

Steven H. Levinson

Pamela C. Nakayama

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Kama E. Duffy Jr.