

NO. 25606

IN THE SUPREME COURT OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee,

vs.

JOBERT LYLE MALDONADO, Defendant-Appellant

NORMA T. YARA  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

2005 DEC 14 PM 1:19

FILED

APPEAL FROM THE FIRST CIRCUIT COURT  
(CR. NO. 02-1-1297)

ORDER DENYING MOTION FOR RECONSIDERATION  
(By: Moon, C.J., for the court<sup>1</sup>)

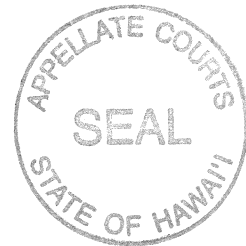
Upon consideration of the motion for reconsideration of the November 30, 2005 order approving in part attorney's fee request and compensation for necessary expenses, it appears that the time for filing a response to the application for a writ of certiorari was not increased by two days pursuant to HRAP 26(c) inasmuch as HRAP 26(c) applies only when the time for acting is measured from service of a paper (i.e. HRAP 27(a), 28(c), 28(d)) and the time for filing a response to an application for a writ of certiorari is measured from the filing of the application, not the service of the application. See HRAP 40.1(e). Therefore,

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

DATED: Honolulu, Hawaii, December 14, 2005.

FOR THE COURT:

  
Chief Justice



<sup>1</sup>Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.