<u>NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER</u>

NO. 30149

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee, v. SENITA M. TUIVAILALA, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT (CR. NO. 07-1-0367)

ORDER DENYING THE MOTION FOR RECONSIDERATION (By: Nakamura, C.J., Foley and Fujise, JJ.)

Upon consideration of Defendant-Appellant Senita M. Tuivalala's Re-request and/or Appeal of Order Denying Appellant's Application for a Court Appointed Attorney Dated 01/14/2010, the papers in support, and the records and files herein,

IT IS HEREBY ORDERED that the motion is denied.

DATED: Honolulu, Hawaiʻi, February 9, 2010.

Chief Judge

Associate Judge

Associate Judge