

NO. CAAP-12-0000630

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

HSBC BANK USA, NATIONAL ASSOCIATION,  
AS TRUSTEE FOR WFMB 2007-AR6, Plaintiff-Appellee,  
v.  
KEVIN COLLMAN, Defendant-Appellant,  
and  
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., et al.,  
Defendants

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT  
(CIVIL NO. 08-1-198K)

ORDER DENYING NOVEMBER 14, 2012  
HRAP RULE 40 MOTION FOR RECONSIDERATION OF  
OCTOBER 30, 2012 ORDER GRANTING OCTOBER 12, 2012  
MOTION TO DISMISS APPEAL FOR LACK OF JURISDICTION  
(By: Fujise, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon review of (1) the October 30, 2012 order granting Plaintiff-Appellee HSBC Bank USA, National Association, as Trustee for WFMB 2007-AR6's (Appellee HSBC Bank USA) October 12, 2012 motion to dismiss appellate court case number CAAP-12-0000630 for lack of jurisdiction (October 30, 2012 order),

(2) Defendant-Appellant Kevin Collman's (Appellant Collman) November 14, 2012 motion for reconsideration of the October 30, 2012 order pursuant to Rule 40 of the Hawai'i Rules of Appellate Procedure (HRAP), and (3) the record, it appears that Appellant Collman did not file his November 14, 2012 HRAP Rule 40 motion for reconsideration within ten days after the filing of the October 30, 2012 order, as HRAP Rule 40(a) requires, and, thus, Appellant Collman's November 14, 2012 HRAP Rule 40 motion for reconsideration is untimely under HRAP Rule 40(a). Therefore,

IT IS HEREBY ORDERED that we deny Appellant Collman's November 14, 2012 HRAP Rule 40 motion for reconsideration of the October 30, 2012 order which dismissed this appeal for lack of jurisdiction.

DATED: Honolulu, Hawai'i, November 21, 2012.

Presiding Judge

Associate Judge

Associate Judge