

NO. CAAP-13-0000385

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

CAROLYN MIZUKAMI, Plaintiff-Appellant v.
DON QUIJOTE (USA) CO., LTD. AND DTRIC INSURANCE COMPANY, LTD.,
Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 12-1-3273-12)

ORDER DENYING MAY 28, 2013 HRAP RULE 40 MOTION
FOR RECONSIDERATION OF MAY 16, 2013 DISMISSAL ORDER
(By: Nakamura, Chief Judge, Foley and Ginoza, JJ.)

Upon review of (1) the May 16, 2013 order dismissing Plaintiff-Appellant Carolyn Mizukami's (Appellant Carolyn Mizukami) appeal in appellate court case number CAAP-13-0000385 for lack of appellate jurisdiction, (2) Appellant Carolyn Mizukami's May 28, 2013 motion for reconsideration of the May 16, 2013 dismissal order pursuant to Rule 40 of the Hawai'i Rules of Appellate Procedure (HRAP), and (3) the record, it appears that Appellant Carolyn Mizukami does not appeal from any appealable order or judgment and we did not overlook or misapprehend any

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points of law or fact when we entered the May 16, 2013 dismissal order. Therefore, Appellant Carolyn Mizukami's May 28, 2013 HRAP Rule 40 motion for reconsideration of the May 16, 2013 dismissal order lacks merit. Accordingly,

IT IS HEREBY ORDERED that Appellant Carolyn Mizukami's May 28, 2013 HRAP Rule 40 motion for reconsideration of the May 16, 2013 dismissal order is denied.

DATED: Honolulu, Hawai'i, May 31, 2013.

Chief Judge

Associate Judge

Associate Judge