

NO. CAAP-14-0000451

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

IN THE MATTER OF THE SAMUEL R. HURWITZ  
REVOCABLE LIVING TRUST DATED DECEMBER 19, 2011

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(TRUST NO. 12-1-0132)

ORDER DENYING AS UNTIMELY THE  
OCTOBER 14, 2014 MOTION FOR RECONSIDERATION  
(By: Foley, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon consideration of the Motion for Reconsideration of Dismissal of Appeal, filed on October 14, 2014, by Defendant-Appellant Nina Savino (**Appellant**), through counsel Joseph W. Huster, the papers in support, and the record, it appears that (1) Appellant seeks reconsideration of the October 3, 2014 order dismissing the appeal pursuant to Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 30; (2) HRAP Rule 40(a) provides that "[a] motion for reconsideration may be filed by a party only within 10 days after the filing of the . . . dispositional order, or ruling unless by special leave additional time is granted during such

period by a judge . . . of the appellate court"; (3) Appellant filed the instant motion for reconsideration beyond ten (10) days after the October 3, 2014 order, without leave to file a late motion; and (4) there is no contention that Appellant's counsel Huster failed to receive the dismissal order due to alleged computer problems. Therefore,

IT IS HEREBY ORDERED that the Motion for Reconsideration of Dismissal of Appeal is denied as untimely.

DATED: Honolulu, Hawai'i, October 17, 2014.

Presiding Judge

Associate Judge

Associate Judge