

**Electronically Filed
Supreme Court
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NO. SCEC-12-0000714

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

KHISTINA CALDWELL DEJEAN, Plaintiff,

vs.

SCOTT NAGO, Chief Election Officer, Office of Elections,
State of Hawai'i; and DAVID M. LOUIE, Attorney General,
State of Hawai'i, Defendants.

ORIGINAL PROCEEDING

ORDER

(By: Recktenwald, C.J., Nakayama, Acoba, McKenna and Pollack, JJ.)

Upon consideration of the document entitled "Appeal Order" filed by plaintiff Khistina Caldwell DeJean on October 26, 2012, which we construe as a motion for reconsideration of the August 23, 2012 Findings of Fact, Conclusions of Law and Judgment, and the record, it appears that the request for reconsideration is untimely. See HRAP 40(a) ("A motion for reconsideration may be filed by a party only within 10 days after the filing of the opinion, dispositional order, or ruling unless by special leave additional time is granted during such period by a judge or justice of the appellate court involved.").

Therefore,

IT IS HEREBY ORDERED that the motion is dismissed.

DATED: Honolulu, Hawai'i, November 1, 2012.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

