

NO. 29516

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

In the Matter of the Application
of
HAROLD KAINALU LONG CASTLE
to register and confirm title to land
situate at Koolaupoko, City & County
of Honolulu, State of Hawaii

ESTRELLA S. IGARATA, Petitioner-Appellee
v.
ANTHONY PAUL LOCRCICCHIO and BARBARA MARIE LOCRCICCHIO,
Respondents-Appellants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(APPLICATION NO. 754 (Land Court 07-0003))

SUMMARY DISPOSITION ORDER

(By: Foley, Presiding J., Fujise and Leonard, JJ.)

Respondents-Appellants Anthony Paul Locricchio and Barbara Marie Locricchio (the Locricchios) appeal from the "Order Denying Respondents' Motion for Award of [Hawaii Rules of Civil Procedure (HRCP)] Rule 11 Sanctions Filed 08/07/08" filed

December 1, 2008 in the Circuit Court of the First Circuit¹ (circuit court). The circuit court denied the Locricchios' post-judgment motion asking the court, pursuant to HRCF Rule 11, to sanction attorneys Jonathan L. Ortiz and Gaylord Tom, the attorneys representing Petitioner-Appellee Estrella C.S. Igarta.

Upon careful review of the record and the briefs submitted by the parties and having given due consideration to the arguments advanced and the issues raised by the parties, as well as the relevant statutory and case law, we conclude that Locricchios' appeal is without merit. The circuit court did not abuse its discretion in denying the Locricchios' motion for sanctions. Enos v. Pac. Transfer & Warehouse, Inc., 79 Hawaii 452, 903 P.2d 1273 (1995).

Therefore,

IT IS HEREBY ORDERED that the "Order Denying Respondents' Motion for Award of Rule 11 Sanctions Filed 08/07/08" filed December 1, 2008 in the Circuit Court of the First Circuit is affirmed.

DATED: Honolulu, Hawaii, October 25, 2010.

On the briefs:

Anthony P. Locricchio
for Respondents-Appellants.

Presiding Judge

Jonathan L. Ortiz,
Wade J. Katano,
Jacqueline E. Thurston,
(Ortiz & Katano)
for Petitioner-Appellee.

Associate Judge

Associate Judge

¹ The Honorable Gary W.B. Chang presided.