

NO. CAAP-17-0000011

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.
MIKE YELLEN, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(CASE NO. 3DTI-16-016502)

ORDER GRANTING THE MAY 3, 2017 MOTION FOR RECONSIDERATION
(By: Leonard, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon consideration of pro se Defendant-Appellant Mike Yellen's "Response to Order of Default of Opening Brief," filed May 3, 2017, which the court construes as a motion for reconsideration of the May 2, 2017 Order Dismissing the Appeal, the papers in support, and the record,

IT IS HEREBY ORDERED that the motion for reconsideration is granted. The appeal is reinstated and the deadline to file the opening brief is extended to June 5, 2017. Any further default of the opening brief may result in sanctions, including, without limitation, the appeal being dismissed, pursuant to Hawai'i Rules of Appellate Procedure Rule 30.

IT IS FURTHER ORDERED that Plaintiff-Appellee State of Hawaii's April 7, 2017 Motion to Dismiss for Lack of Appellate Jurisdiction is reinstated and shall be decided by this court in a subsequent order.

DATED: Honolulu, Hawai'i, May 5, 2017.

Presiding Judge

Associate Judge

Associate Judge