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Supreme Court
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SCOT-17-0000811

IN THE SUPREME COURT OF THE STATE OF HAWAII

IN THE MATTER OF CONTESTED CASE HEARING RE
CONSERVATION DISTRICT USE APPLICATION (CDUA) HA-3568
FOR THE THIRTY METER TELESCOPE AT THE MAUNA KEA SCIENCE
RESERVE, KA'OHE MAUKA, HAMAKUA, HAWAII, TMK (3)404015:009

APPEAL FROM THE BOARD OF LAND AND NATURAL RESOURCES
(BLNR-CC-16-002 (Agency Appeal))

ORDER GRANTING MOTION TO SET ASIDE DISMISSAL
FOR NON-PAYMENT OF FILING FEES

(By: Recktenwald, C.J., McKenna, Pollack, and Wilson, JJ., and
Circuit Judge Castagnetti, in place of Nakayama, J., recused)

Upon consideration of Temple of Lono's motion to set aside the order dismissing the appeal for non-payment of the filing fees, filed on January 8, 2018, the documents attached thereto and submitted in support thereof, and the record, it appears that good cause exists for the untimely payment of the filing fees, which was received by the appellate clerks' office on January 11, 2018. Accordingly,

IT IS HEREBY ORDERED that the motion is granted. The January 4, 2018 order dismissing the appeal for non-payment of the filing fees is set aside, and the appeal is reinstated.

DATED: Honolulu, Hawaii, January 12, 2018.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

/s/ Jeannette H. Castagnetti

