

IN THE SUPREME COURT OF THE STATE OF HAWAII

In the Matter of the Amendment
of the
HAWAII RULES OF APPELLATE PROCEDURE

ORDER AMENDING RULE 4(b)(2) OF THE
HAWAII RULES OF APPELLATE PROCEDURE

(By: Moon, C.J., Nakayama, Acoba, and Duffy, JJ., and
Intermediate Court of Appeals Chief Judge Recktenwald,
assigned by reason of vacancy)

IT IS HEREBY ORDERED that Rule 4(b)(2) of the Hawaii
Rules of Appellate Procedure is amended, effective July 1, 2009,
as follows (deleted material is bracketed and stricken; new
material is underscored):

Rule 4. APPEALS - WHEN TAKEN.

* * *

(b) Appeals in criminal cases.

* * *

(2) EFFECT OF [~~POST-JUDGMENT~~] MOTIONS IN ARREST OF JUDGMENT
OR FOR NEW TRIAL. If a timely motion in arrest of judgment under Rule 34 of the
Hawaii Rules of Penal Procedure or for a new trial under Rule 33 of the Hawaii
Rules of Penal Procedure has been made, an appeal from a judgment of
conviction may be taken within 30 days after the entry of any order denying the
motion.

DATED: Honolulu, Hawaii, February 19, 2009.