

NO. 30411

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

In the Matter of the Guardianship of the Person of SIMC
APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT
(FC-G NO. 09-1-0024K)

JEAN R. KIKUKI TO
CLERK APPELLATE COURT
STATE OF HAWAII

2010 AUG 12 AM 7:55

FILED

ORDER DENYING RESPONDENT-APPELLANT IAN NAROD'S
AUGUST 5, 2010 HRAP RULE 40 MOTION TO RECONSIDER
JULY 26, 2010 ORDER DISMISSING APPEAL FOR LACK OF JURISDICTION
(By: Fujise, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon review of (1) the July 26, 2010 order dismissing appellate court case number 30411 for lack of jurisdiction, (2) Respondent-Appellant Ian Narod's (Appellant Ian Narod) August 5, 2010 (filed ex officio on August 3, 2010) motion to reconsider the July 26, 2010 dismissal order pursuant of Rule 40 of the Hawai'i Rules of Appellate Procedure (HRAP), and (3) the record, it appears that this court did not overlook or misapprehend any points of law or fact when this court entered the July 26, 2010 dismissal order. Therefore, Appellant Ian Narod's August 5, 2010 HRAP Rule 40 motion to reconsider the July 26, 2010 dismissal order lacks merit. Accordingly,

IT IS HEREBY ORDERED that Appellant Ian Narod's August 5, 2010 HRAP Rule 40 motion to reconsider the July 26, 2010 dismissal order is denied.

DATED: Honolulu, Hawai'i, August 12, 2010.

On the motion:

Gerald W. Scatena
for Respondent-Appellant

Ausa A. Fujise
Presiding Judge

Lawrence M. Reifurth
Associate Judge

Gina M. Ginoza
Associate Judge