

**Electronically Filed  
Intermediate Court of Appeals  
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NO. 29930

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

GABRIEL APILANDO, Petitioner-Appellee, v.  
STATE OF HAWAI'I, Respondent-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(S.P.P. NO. 08-1-0006; CR. NOS. 01-1-0424 & 01-1-0098)

ORDER DENYING PETITIONER-APPELLEE'S MOTION FOR RECONSIDERATION  
(By: Nakamura, C.J., Foley and Leonard, JJ.)

Upon consideration of Petitioner-Appellee Gabriel Apilando's motion for reconsideration filed on December 17, 2010, the papers in support, and the records and files herein,

IT IS HEREBY ORDERED that the motion for reconsideration is denied.

DATED: Honolulu, Hawai'i, December 23, 2010.

  
Chief Judge

  
Associate Judge

  
Associate Judge