

NO. CAAP-11-0000054

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

ASSOCIATION OF CONDOMINIUM HOMEOWNERS OF TROPICS AT WAIKELE,  
by its Board of Directors, Plaintiff-Appellee,

v.

PATSY NAOMI SAKUMA, Defendant-Appellant,

and

FIRST HAWAIIAN BANK, a Hawaii corporation;  
WAIKELE COMMUNITY ASSOCIATION, a Hawaii nonprofit corporation,  
Defendants-Appellees,

and

JOHN DOES 1-5; JANE DOES 1-5; DOE PARTNERSHIPS 1-10;  
DOE ENTITIES 1-5; and DOE GOVERNMENTAL UNITS 1-5, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 07-1-1487)

ORDER DENYING AUGUST 11, 2011 HRAP RULE 40  
MOTION FOR RECONSIDERATION OF AUGUST 3, 2011  
ORDER DISMISSING APPEAL FOR LACK OF JURISDICTION  
(By: Nakamura, Chief Judge, Foley and Fujise, JJ.)

Upon review of (1) the August 3, 2011 order dismissing  
this appeal for lack of jurisdiction, (2) Defendant-Appellant  
Patsy Naomi Sakuma's (Appellant Sakuma) August 11, 2011 motion to

reconsider the August 3, 2011 dismissal order pursuant to Rule 40 of the Hawaii Rules of Appellate Procedure (HRAP), and (3) the record, it appears that we have not overlooked or misapprehended any points of law or fact, and, thus Appellant Sakuma's August 11, 2011 HRAP Rule 40 motion to reconsider the August 3, 2011 dismissal order lacks merit. Accordingly,

IT IS HEREBY ORDERED that Appellant Sakuma's August 11, 2011 HRAP Rule 40 motion to reconsider the August 3, 2011 dismissal order is denied.

DATED: Honolulu, Hawaii, August 17, 2011.

Chief Judge

Associate Judge

Associate Judge