

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 30382

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

JOHN P. DUNBAR, Petitioner-Appellant, v.
STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT
(CASE NO. 2DTI-09-025858)

KHANAKKADO
CLERK APPELLATE COURTS
STATE OF HAWAI'I

2010 AUG 16 AM 8:12

FILED

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Fujise, Presiding Judge, Reifurth and Ginoza, JJ)

Upon consideration of Petitioner-Appellant John P. Dunbar's August 4, 2010 Motion for Reconsideration, the papers in support, and the records and files herein, it appears that: (1) pursuant to Rule 40(a) of the Hawai'i Rules of Appellate Procedure, the motion for reconsideration is untimely; and (2) notwithstanding Appellant's assertion that he sought to timely file his notice of appeal, it was not filed until March 9, 2010, well after the appeal deadline. Accordingly,

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

DATED: Honolulu, Hawai'i, August 16, 2010.


Presiding Judge


Associate Judge


Associate Judge