

NO. CAAP-13-0001182

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

CREDIT ASSOCIATES OF MAUI, LTD.,  
a Hawaii corporation, Plaintiff-Appellee,<sup>1/</sup>  
v.  
WILLIAM K. FREITAS and CINDY K. FREITAS,  
Defendants-Appellants  
and  
PA'A POHAKU BUILDERS, INC., Defendant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT  
NORTH AND SOUTH KONA DIVISION  
(CASE NO. 3RC12-01-112K)

ORDER DENYING MOTION FOR RECONSIDERATION  
(By: Nakamura, C.J., and Reifurth and Ginoza, JJ.)

On June 9, 2017, Defendants-Appellants William K. and Cindy K. Freitas filed a motion for reconsideration, requesting reconsideration of this court's Summary Disposition Order, which was filed on May 26, 2017.

Hawai'i Rules of Appellate Procedure ("HRAP") Rule 40 provides in relevant part:

(a) Time. A motion for reconsideration may be filed by a party only within 10 days after the filing of the opinion, dispositional order, or ruling unless by special leave additional time is granted during such period by a judge or justice of the appellate court involved.

Appellants did not file their motion for reconsideration within ten days after the filing of the Summary

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<sup>1/</sup> On December 9, 2013, the Office of Hawaiian Affairs was substituted as the plaintiff-appellee in place of Credit Associates of Maui, Ltd.

Disposition Order as required by HRAP Rule 40.

Accordingly, pursuant to HRAP Rule 40(a), IT IS HEREBY ORDERED that Appellants' motion for reconsideration is denied as untimely.

DATED: Honolulu, Hawai'i, June 15, 2017.

Chief Judge

Associate Judge

Associate Judge