

NO. CAAP-16-0000857

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

COUNTY OF MAUI,
Plaintiff/Counterclaim-Defendant/Appellee,
v.
RICHARD ALLEN CASTRO, LIANN CASTRO, AND CHRISSIE H. CASTRO,
Defendants/Counterclaim-Plaintiffs/Cross-Claim
Defendants/Appellants
and
ASSOCIATION OF APARTMENT OWNERS OF KIHEI VILLAGES,
Defendant/Cross-Claim Plaintiff/Appellee
and
ARGENT MORTGAGE COMPANY, LLC, PRINCETON RECONVEYANCE SERVICE,
BENEFICIAL HAWAII, INC., HAWAI'I DEPARTMENT OF TAXATION,
STATE OF HAWAI'I, Defendants/Cross-Claim Defendants/Appellees
and
JOHN DOES 1-20 and DOE ENTITIES 1-20,
Defendants

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 15-1-0650(1))

ORDER DENYING JUNE 8, 2017 HRAP RULE 40 MOTION
FOR RECONSIDERATION OF MAY 31, 2017 AMENDED ORDER
DISMISSING APPEAL FOR LACK OF APPELLATE JURISDICTION
(By: Leonard, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon review of (1) the May 31, 2017 amended order
dismissing appeal for lack of appellate jurisdiction,
(2) Defendants/Counterclaim-Plaintiffs/Cross-Claim Defendants/
Appellants Richard Allen Castro, Liann Castro and Chrissie H.
Castro's (the Castro Appellants) June 8, 2017 motion for

reconsideration of the May 31, 2017 amended order pursuant to Rule 40 of the Hawai'i Rules of Appellate Procedure (HRAP), and (3) the record, it appears that we did not overlook or misapprehend any points of law or fact when we entered the May 31, 2017 amended dismissal order.

Therefore, IT IS HEREBY ORDERED that the Castro Appellants' June 8, 2017 HRAP Rule 40 motion for reconsideration of the May 31, 2017 amended dismissal order is denied. The dismissal of this appeal is without prejudice to any party properly appealing from a future final and appealable judgment.

DATED: Honolulu, Hawai'i, June 19, 2017.

Presiding Judge

Associate Judge

Associate Judge