

NO. CAAP-18-0000211

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

DL, Plaintiff-Appellant, v.
CL, Defendant-Appellee

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-D NO. 16-1-1014)

ORDER DENYING MOTION FOR RECONSIDERATION
(By: Fujise, Presiding Judge, Leonard and Chan, JJ.)

Upon consideration of Plaintiff-Appellant DL's (**DL's**) Motion for Reconsideration filed on March 11, 2019 (**Motion**), and the records and files in this case, we conclude that the Motion is without merit.

DL argues that this court erred in noting, at the beginning of its Summary Disposition Order, that his appeal was from an April 26, 2018 Divorce Decree, rather than, as DL submits, from a March 16, 2018 First Amended Order Re: Evidentiary Hearing (**Amended Order**). The court did not misapprehend or fail to address DL's arguments regarding, *inter alia*, the Amended Order. The reference to the Divorce Decree was, in the first instance, for the purpose of referencing the

order or judgment that was final and appealable; the Amended Order did not enter a decree of dissolution of the parties' marriage, a decree of dissolution had not been previously entered, and the Amended Order was not separately final and appealable. See Eaton v. Eaton, 7 Haw. App. 111, 118-19, 748 P.2d 801, 805 (1987).

Upon careful review, we conclude that this court did not misapprehend or overlook any of the factual or legal issues raised in the Motion.

Therefore, IT IS HEREBY ORDERED that the Motion is denied.

DATED: Honolulu, Hawai'i, March 15, 2019.

On the motion:

Rebecca A. Copeland
for Plaintiff-Appellant

Presiding Judge

Associate Judge

Associate Judge