

NO. CAAP-20-0000012

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

PNC BANK, NATIONAL ASSOCIATION, Plaintiff-Appellee, v.
HERMA B. MEDINA REYNA, Defendant-Appellant,
WILMINGTON TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL
CAPACITY BUT SOLELY AS TRUSTEE UNDER THE GREENWICH INVESTORS XL
PASS-THROUGH TRUST AGREEMENT DATE AS OF MARCH 1, 2012;
CAPSTONE FUNDING GROUP INC, Defendants-Appellees, and,
DOES 1 through 20, inclusive, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 2CC151000224(3))

ORDER DENYING JUNE 28, 2020 MOTION
FOR RECONSIDERATION OF JUNE 17, 2020 ORDER
DISMISSING APPEAL FOR LACK OF APPELLATE JURISDICTION
(By: Ginoza, Chief Judge, Leonard and Wadsworth, JJ.)

Upon review of (1) the "Order Dismissing Appeal for Lack of Appellate Jurisdiction," filed on June 17, 2020, (2) Defendant-Appellant Herma B. Medina Reyna's (Medina Reyna) "Motion for Reconsideration of Court Order Denying [Medina Reyna's] Jurisdiction on the Case," filed on June 28, 2020, which she contends is brought pursuant to a "Rule 60.1 of the Hawai'i Rules of Civil Procedure," but which we construe as a motion for reconsideration under 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 June 17, 2020 dismissal order.

Therefore, IT IS HEREBY ORDERED that, pursuant to HRAP Rule 40, Medina Reyna's June 28, 2020 motion for reconsideration of the June 17, 2020 dismissal order is denied.¹

DATED: Honolulu, Hawai'i, July 7, 2020.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Katherine G. Leonard
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge

¹ As set forth in the "Order Dismissing Appeal for Lack of Appellate Jurisdiction," filed on June 17, 2020, Medina Reyna seeks to appeal from an order granting commissioner's motion to conduct auction without holding open houses and an order denying Medina Reyna's motion for reconsideration of that order. We note that on June 26, 2020, the Hawai'i Supreme Court issued an "Order Regarding Foreclosure or Non-Judicial Foreclosure Related Actions: Certification of Compliance with the Coronavirus Aid, Relief, and Economic Security Act in Foreclosures," which the parties may wish to address at the appropriate time in the Circuit Court.