

Electronically Filed
Intermediate Court of Appeals
CAAP-18-0000105
19-MAY-2022
07:47 AM
Dkt. 71 ODMR

NO. CAAP-18-0000105

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

CHRISTOPHER SALEM, Requestor-Appellant, v.
THE COUNTY OF MAUI; THE COUNTY OF MAUI, by and
through WILLIAM SPENCE, as DIRECTOR OF PLANNING, and
BRIAN BILBERRY, DEPUTY CORPORATION COUNSEL WITH THE
DEPARTMENT OF CORPORATION COUNSEL, Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 17-1-0208)

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Ginoza, C.J., and Wadsworth and Nakasone, JJ.)

Upon consideration of the May 10, 2022 Motion for Reconsideration filed by self-represented Requestor-Appellant Christopher Salem (**Appellant**), the papers in support, and the record, and the May 11, 2022 "Letter to the Honorable Court" filed by Appellant, which we construe as a motion for leave to file the Motion for Reconsideration one day late (**Motion for Leave**), and the papers in support, it appears that:

(1) Appellant requests reconsideration of this court's Summary Disposition Order, filed on April 29, 2022;

(2) Appellant did not file the Motion for Reconsideration on or before May 9, 2022, *i.e.*, within ten days after the filing of the Summary Disposition Order, as required by Hawai'i Rules of Appellate Procedure (HRAP) Rule 40;

(3) Appellant requests that we accept the late-filed Motion for Reconsideration due to electronic "filing challenges"

that Appellant encountered on the evening of May 9, 2022, and in light of his self-represented status; and

(4) This court did not overlook or misapprehend any point of law or fact when it issued its April 29, 2022 Summary Disposition Order. See HRAP Rule 40(b).

Therefore, IT IS HEREBY ORDERED that the Motion for Leave is granted.

IT IS FURTHER ORDERED that the Motion for Reconsideration is denied.

DATED: Honolulu, Hawai'i, May 19, 2022.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Karen T. Nakasone
Associate Judge