

**Electronically Filed
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SCPW-22-0000522

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

KAU‘I W. POAHA, Petitioner,

vs.

CHIEF OF POLICE ARTHUR JOSEPH LOGAN,
HONOLULU POLICE DEPARTMENT, Respondent.

ORIGINAL PROCEEDING

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Recktenwald, C.J., Nakayama, McKenna, Wilson, and Eddins, JJ.)

Upon consideration of Petitioner’s October 7, 2022 motion for reconsideration of this court’s September 26, 2022 order denying the petition for a “peremptory” writ of mandamus, and the record, Petitioner’s motion is untimely because the deadline to file a motion for reconsideration was October 6, 2022. See Hawai‘i Rules of Appellate Procedure (HRAP) Rule 40(a) (“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 . . . justice of the appellate court involved.”).

Even if deemed timely, this court has not overlooked or misapprehended points of law or fact. See HRAP Rule 40(b).

Accordingly,

It is ordered that the motion is denied.

DATED: Honolulu, Hawai'i, October 14, 2022.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

