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Intermediate Court of Appeals
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NO. CAAP-24-0000613

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

TREVOR STEPHENS, Plaintiff/Counterclaim Defendant-Appellee, v.
ARON DEUTSCH and EMILY WESSEL, Defendants/Counterclaimants/
Third-Party Plaintiffs-Appellants,
and
SHERRY MATTOS, Third-Party Defendant-Appellee.

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
NORTH AND SOUTH KONA DIVISION
(CASE NO. 3DRC-24-0000724)

ORDER

(By: Leonard, Presiding Judge, and Hiraoka and Guidry, JJ.)

Upon consideration of self-represented Defendants/Counterclaimants/Third-Party Plaintiffs-Appellants Aron Deutsch and Emily Wessel's (together, **Appellants**) December 10, 2025 Motion to Set Aside Dismissal, which the court construes as a motion for reconsideration of the May 13, 2025 Order Dismissing Appeal, the papers in support, and the record,¹ IT IS HEREBY ORDERED as follows:

1. The motion for reconsideration is dismissed as untimely. See 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").

¹ The court did not consider Plaintiff/Counterclaim Defendant-Appellee Trevor Stephens' December 15, 2025 memorandum in opposition to the Motion to Set Aside Dismissal, because the court construed the motion as a motion for reconsideration, to which a response is not permitted unless requested by the court. Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 40(c).

2. The appellate clerk shall refund to Appellants the appellate filing fees received on December 8, 2025.

DATED: Honolulu, Hawai'i, December 18, 2025.

/s/ Katherine G. Leonard
Presiding Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Kimberly T. Guidry
Associate Judge