

NO. 23459

IN THE SUPREME COURT OF THE STATE OF HAWAII

DEBORAH Y. MILLER, Plaintiff-Appellee

vs.

JOSEPH R. THAMES, Defendant-Appellant

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-DA NO. 99-1772)

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Moon, C.J., Levinson, Nakayama, and Ramil, JJ.
and Circuit Judge Nakea in place of Acoba, J., recused.)

Upon consideration of Appellant's "Request for Reconsideration" of the November 21, 2000 order dismissing appeal, which shall be deemed a motion for reconsideration under HRAP 40(a), the papers in support and the record, it appears that the deadline for filing a motion for reconsideration of the November 21, 2000 order was December 1, 2000, ten days after the order was filed. See HRAP 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 judge or justice of the appellate court involved."). Appellant was not granted additional time to file the motion for reconsideration. The motion for reconsideration, filed on December 22, 2000, is untimely. Therefore,

IT IS HEREBY ORDERED that the motion for reconsideration is denied.

DATED: Honolulu, Hawaii, January 18, 2001.

Joseph R. Thames, pro se
on the motion