

NO. 23577

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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CLARENCE S. ONAKA, Plaintiff-Appellee

vs.

ALLYSON L. ONAKA, Defendant-Appellant

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APPEAL FROM THE FAMILY COURT OF THE SECOND CIRCUIT  
(FC-D NO. 96-0411)

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Moon, C.J., Levinson, Nakayama,  
Ramil, and Acoba, JJ.)

Upon consideration of the motion for reconsideration of the January 31, 2001 order dismissing appeal, the papers in support and the record, it appears that the matter of whether the bankruptcy stay has been lifted for purposes of appeal is of no consequence inasmuch as there has been no retroactive annulment of the bankruptcy stay so as to validate the July 7, 2000 notice of appeal. Appellant can seek reinstatement of the July 7, 2000 appeal in this court if retroactive annulment of the bankruptcy stay is granted by the bankruptcy court. Therefore,

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

DATED: Honolulu, Hawai'i, February 16, 2001.

Terry L. Day  
for defendant-appellant  
on the motion