

NO. 26068

IN THE SUPREME COURT OF THE STATE OF HAWAII

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A. EDWARD FYFFE, JR., Petitioner-Defendant,

vs.

THE HONORABLE CHRISTOPHER P. MCKENZIE, JUDGE, DISTRICT COURT OF  
THE FIRST CIRCUIT, HONOLULU DIVISION, AND THE HONORABLE DAVID W.  
LO, JUDGE, DISTRICT COURT OF THE FIRST CIRCUIT, HONOLULU  
DIVISION, Respondents,

and

BOB COOK REALTORS, INCORPORATED, a Hawaii Corporation, dba  
Captain Cook and Associates, Respondent-Plaintiff.

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APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT  
(CIV. NO. 1RC 03-1-3010)

ORDER DENYING MOTION FOR RECONSIDERATION OF ORDER  
DENYING 1) PETITION FOR WRIT OF PROHIBITION AND/OR  
MANDAMUS DIRECTED TO A JUDGE AND 2) EMERGENCY MOTION FOR  
STAY OF ORDER(S) DENYING DISMISSAL PURSUANT  
TO RULE 12(b)(1) AND SETTING TRIAL DATE OF 9-11-03

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

Upon consideration of Petitioner A. Edward Fyffe, Jr.'s  
motion for reconsideration of the September 10, 2003 order  
denying the petition for writ of prohibition and/or mandamus  
directed to a judge and the emergency motion for stay of order  
denying dismissal of the district court summary possession case  
pursuant to Rule 12(b)(1) and setting trial date of September  
11, 2003, the papers in support, and the records and files  
herein,

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

DATED: Honolulu, Hawai'i, October 1, 2003.

A. Edward Fyffe, Jr.,  
petitioner/defendant pro se  
on the motion