

NOS. 26147 and 26157

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

In the Matter of the Application of FRANK GONSALVES CORREA to register and confirm title to land situate at Omaopio 1, 2, 3, and 4, Kula, Maui, State of Hawai'i
(No. 26147 (Application No. 342, Land Court No. 03-0003))

In the Matter of the Application of FRANK GONSALVES CORREA to register and confirm title to land situate at Omaopio 1, 2, 3, and 4, Kula, Maui, State of Hawai'i
(No. 26157 (Application No. 342, Land Court No. 03-0001))

APPEAL FROM THE LAND COURT

ORDER DENYING MOTION FOR RECONSIDERATION

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

Upon consideration of the motion for reconsideration of the February 26, 2004 order dismissing No. 26147 and No. 26157, the papers in support and the record, it appears that as to No. 26147, the orders granting expungement and injunctive relief entered on September 25, 2003 and October 21, 2003 in Land Court No. 03-0003 are not appealable collateral orders inasmuch as the matters of expungement and injunctive relief were not completely separate from the merits of Land Court No. 03-0003, but were the very matters for which Land Court No. 03-0003 was filed. As to No. 26157, the September 9, 2003 order granting injunctive relief is not an appealable collateral order in Land Court No. 03-0001 inasmuch as the granting of injunctive relief was not completely separate from the merits of Land Court No. 03-0001, but was directly related to the dispute over title to property for which Land Court No. 03-0001 was filed. Therefore,

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

DATED: Honolulu, Hawai'i, March 10, 2004.