

NO. 26522

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MASSIMO FUCHS, Petitioner

vs.

DISTRICT COURT OF THE FIRST CIRCUIT,
HONOLULU DIVISION, STATE OF HAWAI'I, Respondent

and

AHI HARBOR LIMITED PARTNERSHIP, by and through
CB Richard Ellis Hawaii, Inc., Respondent

ORIGINAL PROCEEDING

ORDER DENYING MOTION TO RECONSIDER THE ORDER DENYING
PETITIONER MASSIMO FUCHS' PETITION FOR A WRIT OF MANDAMUS
AND MOTION FOR A STAY OF PROCEEDINGS ENTERED ON APRIL 30, 2004
(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of the motion for reconsideration of
order denying petition for a writ of mandamus and motion for a
stay of proceedings filed by Petitioner Massimo Fuchs, the papers
in support, and the records and files herein,

IT IS HEREBY ORDERED that the motion for
reconsideration is denied without prejudice to any remedy
Petitioner may have in the pending district court case and
without prejudice to any remedy Petitioner may have by way of
appeal from any adverse judgment.

DATED: Honolulu, Hawai'i, May 18, 2004.

Massimo Fuchs,
petitioner *pro se*,
on the motion