

NO. 26605

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee

vs.

FRANCIS ANTHONY GRANDINETTI, aka Albert Fernandez, aka Frank Myers, aka Frank Irandine, Defendant-Appellant

APPEAL FROM THE THIRD CIRCUIT COURT
(CR. NO. 93-141)

ORDER DENYING MOTION FOR RECONSIDERATION

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

Upon consideration of the "Motion to Amend or Correct Order of September 16, 2004" filed on November 15, 2004, the papers in support and the record, it appears that the motion seeks reconsideration of the September 16, 2004 order dismissing appeal and is an untimely motion for reconsideration under HRAP 40(a) ("A motion for reconsideration may be filed by a party only within 10 days after the filing of the . . . dispositional order[.]"). Therefore,

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

Dated: Honolulu, Hawai'i, November 26, 2004.