

*** NOT FOR PUBLICATION ***

NO. 26678

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MARSHALL KENNETH FLOWERS, Plaintiff-Appellant

vs.

UNITED SERVICES AUTOMOBILE ASSOCIATION, Defendant-Appellee

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 02-1-1679)

ORDER DENYING MOTION FOR RECONSIDERATION

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

Upon consideration of the motion for reconsideration of the October 29, 2004 order dismissing appeal, the papers in support and the record,

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

DATED: Honolulu, Hawai'i, November 22, 2004.