

NO. 25148

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.
OSOVALE ATAPUAI, Defendant-Appellant,
and FAIVAE TUPUIAVAO, Defendant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(Cr. No. 96-0747)

ORDER GRANTING MOTION FOR RECONSIDERATION
AND VACATING ORDER DISMISSING APPEAL
FOR LACK OF APPELLATE JURISDICTION
(By: Burns, C.J., Watanabe, and Foley, JJ.)

Upon consideration of Defendant-Appellant Osovale Atapu'ai's timely filed August 11, 2003 Motion for Reconsideration of this court's July 30, 2003 Order Dismissing Appeal for Lack of Appellate Jurisdiction and the records and files herein,

IT IS HEREBY ORDERED that the motion is granted, the July 30, 2003 Order Dismissing Appeal for Lack of Appellate Jurisdiction is vacated, and a new opinion shall follow.

DATED: Honolulu, Hawaii, August 14, 2003.

Richard Naiwieha Wurdeman
on the motion.

Chief Judge

Associate Judge

Associate Judge