

NOT FOR PUBLICATION

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NO. 25888

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee, v.  
JON KAAPUNI, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT  
(CASE NOS. TR 4 & TR 5: 05/13/03,  
CITATION NOS. 00155623M & 00145612M)

ORDER DENYING MOTION FOR RECONSIDERATION  
(By: Burns, C.J., Foley and Nakamura, JJ.)

Upon review of Appellee's Motion for Reconsideration  
filed on February 22, 2005, and the records and files herein,

IT IS HEREBY ORDERED that the motion is denied.

DATED: Honolulu, Hawai'i, March 2, 2005.

Arleen Y. Watanabe,  
Deputy Prosecuting Attorney,  
County of Maui,  
for Plaintiff-Appellee  
on the motion

Chief Judge

Associate Judge

Associate Judge