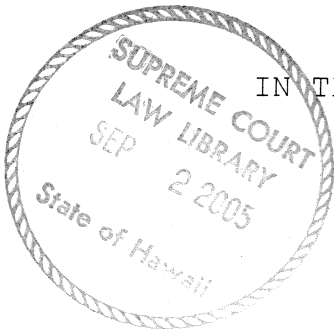


NO. 26161



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

---o0o---

STATE OF HAWAI'I, Plaintiff-Appellant, v.
DEREK VAN ALDERWERELT, Defendant-Appellee

APPEAL FROM THE FAMILY COURT OF THE SECOND CIRCUIT
(FC-CR. NO. 03-1-0242(2))

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

Upon consideration of the Motion for Reconsideration
filed by Defendant-Appellee on August 23, 2005,

IT IS HEREBY ORDERED that the motion is denied.

DATED: Honolulu, Hawai'i, August 29, 2005.

James A. Burns
Chief Judge

Courne K A Watanabe
Associate Judge

Craig H. Nakamura
Associate Judge

EMERSON
CLERK OF APPELLATE COURTS
STATE OF HAWAII

2005 AUG 29 PM 12:28

FILED