

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

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STATE OF HAWAI'I, Plaintiff-Appellee, v.
RHUDEL G. GASTON, Defendant-Appellant

NO. 26849

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(HPD Traffic No. 04043628)

BURNS, C.J., LIM AND NAKAMURA, JJ.

ORDER DENYING MOTION FOR RECONSIDERATION

Upon consideration of Defendant-Appellant Rhudel G. Gaston's August 22, 2005 motion for reconsideration of the Opinion of the Intermediate Court of Appeals filed on August 12, 2005 in the above-entitled appeal, made pursuant to Rule 40 of the Hawaii Rules of Appellate Procedure,

IT IS HEREBY ORDERED that the motion is denied.

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

Earle A. Partington,
on the motion
for Defendant-Appellant.

James A. Burns
Chief Judge

[Signature]
Associate Judge

Craig W. Nakamura
Associate Judge

ENL. RIMANDO
OF ENR. ADP. STATE COURTS
STATE OF HAWAII

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FILED