

NO. 26951

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

STATE OF HAWAI'I, Plaintiff-Appellant, v  
ALDEN SHIMABUKURO, JR., Defendant-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT  
(CR. NO. 04-1-0235)

K. HAMAKADO  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

2006 FEB 21 AM 9:52

FILED

ORDER DENYING MOTION TO RECONSIDER

(By: Burns, C.J., Nakamura and Fujise, JJ.;

Upon consideration of the "Motion to Reconsider Opinion  
Filed February 3, 2006" filed on February 13, 2006,

IT IS HEREBY ORDERED that said motion is denied.

DATED: Honolulu, Hawai'i, February 21, 2006.

Ricky R. Damerville,  
Deputy Prosecuting Attorney,  
County of Hawai'i,  
for Plaintiff-Appellant  
on the motion

*James A. Burns*  
Chief Judge

*Angela H. Nakamura*  
Associate Judge

*Ausa Don Fujise*  
Associate Judge