

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 28133

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

STATE OF HAWAI'I, Plaintiff-Appellee,
v.
WALTER WAYNE DEGUAIR, Defendant-Appellant

KHAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

2006 DEC 29 PM 12:39

FILED

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CR. NO. 92-0509)

ORDER DENYING THE DECEMBER 21, 2006 MOTION FOR RECONSIDERATION
(By: Burns, C.J., Lim and Foley, JJ.)

Upon review of (1) the November 30, 2006 order granting Plaintiff-Appellee State of Hawaii's November 21, 2006 motion to dismiss the appeal of Defendant-Appellant Walter Wayne DeGuair (Appellant), (2) Appellant's December 21, 2006 Motion for Reconsideration of the November 30, 2006 order pursuant to Rule 40 of the Hawai'i Rules of Appellate Procedure, and (3) the record,

IT IS HEREBY ORDERED that Appellant's December 21, 2006 Motion for Reconsideration of the November 30, 2006 order pursuant to HRAP Rule 40 is denied.

DATED: Honolulu, Hawai'i, December 29, 2006.

James A Burns
Chief Judge

[Signature]
Associate Judge

Daniel R. Foley
Associate Judge