

NO. 29143

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAIIKEITH MURAUSKAS, Plaintiff-Appellant, v.  
ELLEN GUSMAN, Defendant-Appellee.EMERSON  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

2000 SEP -5 AM 9:43

FILED

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 1RC06-1-5037)ORDER DENYING MOTION FOR RECONSIDERATION

(By: Foley, Presiding Judge, Fujise and Leonard, JJ.)

Upon consideration of the Motion for Reconsideration filed by Plaintiff-Appellant Keith Murauskas (Appellant), the papers in support, and the records and files herein,

(1) Appellant moves the court to reconsider the Order Denying Plaintiff-Appellant's Motion to Order the Clerk of the District Court to Produce and Transmit the Record on Appeal to the Hawai'i Supreme Court, on the grounds that the record transmitted is not complete and does not include all papers he submitted to the district court; (2) pursuant to HRAP Rule 10(e)(2), if anything material to any party is omitted from the record by error or accident or is misstated therein, corrections or modifications may be made by the court or agency appealed from, either before or after the record is transmitted; (3) Appellant moves the court to reconsider the Order Denying Plaintiff-Appellant's motion for an Order Directing the Clerk of the Hawai'i Supreme Court to Produce Copies of the Record and Transmit Them to Appellant; (4) pursuant to HRAP Rule 25(b), each party is responsible for serving the documents the party files at or before the time of filing; and (5) the clerk's office is responsible for service of separate filed orders pursuant to HRAP Rule 45(c), but it is not responsible for serving documents filed by the parties to an appeal. Therefore,

IT IS HEREBY ORDERED that:

1. The motion to reconsider the Order Denying Plaintiff-Appellant's Motion to Order the Clerk of the District


Court to Produce and Transmit the Record on Appeal to the Hawai'i Supreme Court without prejudice to Appellant filing in the district court a motion to correct the record pursuant to HRAP Rule 10(e)(2).

2. The motion to reconsider the Order Denying Plaintiff-Appellant's Motion for an Order Directing the Clerk of the Hawai'i Supreme Court to Produce Copies of the Record and Transmit them to Appellant is denied.

DATED: Honolulu, Hawai'i, September 5, 2008.

  
Presiding Judge

  
Associate Judge

  
Associate Judge