

NO. 26974

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

JAMES R. SMITH, Claimant/Appellant-Appellant

vs.

MAUI COUNTY BOARD OF VARIANCE AND APPEALS,
Defendant/Appellee-Appellee

CLERK OF APPELLATE COURTS
STATE OF HAWAII
E.M. RINANDO

2005 MAY 11 PM 2:03

FILED

APPEAL FROM THE SECOND CIRCUIT COURT
(CIV. NO. 03-1-0440)

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of Appellant James R. Smith's motion for reconsideration of the April 11, 2005 order denying the motion to modify and correct record on appeal, the papers in support, and the records and files herein,

IT IS HEREBY ORDERED that the motion for reconsideration is denied.

DATED: Honolulu, Hawai'i, May 11, 2005.

James R. Smith, claimant/
appellant-appellant,
pro se, on the motion.



Steven Halperin

Amy A. Nakayama



James E. Duffy, Jr.