

NO. 27142

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee,

vs.

EDUARDO CALIBUSO, Defendant-Appellant.

APPEAL FROM THE SECOND CIRCUIT COURT
(CR. NO. 87-0198)

ORDER DENYING MOTION FOR RECONSIDERATION

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

Upon consideration of the motion for reconsideration of the October 13, 2005 order dismissing appeal, the papers in support and the record,

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

DATED: Honolulu, Hawai'i, November 18, 2005.

[Signature]

Steven J. Levinson

Fumua Nakayama

James E. Duffy Jr.

E.M. RIMANDO
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

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FILED