

**IN THE
SUPREME COURT OF THE REPUBLIC OF PALAU
APPELLATE DIVISION**

BESURE KANAI,
Appellant,
v.
REPUBLIC OF PALAU,
Appellee.

Cite as: 2016 Palau 29
Civil Appeal No. 15-026
Appeal from Civil Action No. 14-076

Decided: December 19, 2016

Counsel for AppellantJ. Toribiong
Counsel for AppelleeL. Wofford

BEFORE: ARTHUR NGIRAKLSONG, Chief Justice
KATHLEEN M. SALII, Associate Justice
LOURDES F. MATERNE, Associate Justice

Appeal from the Trial Division, the Honorable R. Ashby Pate, Associate Justice, presiding.

ORDER DENYING REHEARING

PER CURIAM:

[¶ 1] Before the Court is Appellant Besure Kanai’s petition for rehearing pursuant to ROP R. App. P. 40. We have repeatedly stated that petitions for rehearing “shall be granted exceedingly sparingly, and only where the Court’s original decision obviously and demonstrably contains an error of fact or law that draws into question the result of the appeal.” *See, e.g., Kebekol v. KSPLA*, 22 ROP 74, 74 (2015) (collecting cases); *see also, e.g., Henry v. Shizushi*, 21 ROP 79, 79 (2014) (same). Because Appellant’s petition fails to meet this standard, it will be denied. *See Kebekol*, 22 ROP at 74.

[¶ 2] Petitions for rehearing must “state with particularity each point of law or fact that the petitioner believes the court has overlooked or misapprehended.” *Rengiil v. Republic of Palau*, 20 ROP 257, 258 (2013) (quoting ROP R. App. P. 40(a)). We have explained that the purpose of

rehearing is not to address arguments a party failed to make in appellate briefing. *See, e.g., Henry*, 21 ROP at 79 n.1. We have likewise denied petitions that simply restate previously-rejected arguments in more complicated ways. *See, e.g., Rengiil*, 20 ROP at 258.

[¶ 3] The instant petition does not make even this effort. The petition neither advances new arguments nor meaningfully develops old ones. The petition simply restates the same arguments, “which have now failed for a third time before the courts.” *Rengiil*, 20 ROP at 259. After appropriate consideration, the petition for rehearing is **DENIED**.¹

SO ORDERED, this 19th day of December, 2016.

¹ Appellant also filed a procedural “Motion for Continuance.” Because we here deny the underlying substantive petition for rehearing as lacking merit, any procedural motions related to it are **DISMISSED AS MOOT**.