

NO. 23589

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

JOSEPH FRANCIS HAROLD, Plaintiff-Appellant

vs.

VIRGINIA ANNE HAROLD, Defendant-Appellee

APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT
(FC-D NO. 99-040)

ORDER DISMISSING APPEAL

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

Upon review of the statements supporting and contesting jurisdiction and the record, it appears that: (1) the July 6, 2000 order does not finally decide the May 18, 2000 "motion for reconsideration of divorce decree" and the May 18, 2000 motion has not been finally decided; (2) the appeal of the July 6, 2000 order is an appeal of an interlocutory order for which leave to file an interlocutory appeal was not granted by the family court pursuant to HRS § 641-1(b); and, thus, (3) this appeal is premature and we lack jurisdiction. Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, October 26, 2000.