

NO. 24459

IN THE SUPREME COURT OF THE STATE OF HAWAII

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DARLENE K. NALUAI, Plaintiff-Appellee

vs.

D. KEALA NALUAI, Defendant-Appellant

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APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT  
(FC-DA NO. 98-1029)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that appellant's August 3, 2001 notice of appeal purports to appeal a decision of the prosecuting attorney denying appellant's request for prosecution. The decision of the prosecuting attorney is not appealable to the supreme court. Therefore,

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

DATED: Honolulu, Hawaii, October 10, 2001.