

*** NOT FOR PUBLICATION ***

NO. 26467

IN THE SUPREME COURT OF THE STATE OF HAWAII

IN THE INTEREST OF JOHN DOE, Born on November 25, 1987

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-J 0062684)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that the appealable final order or decree in FC-J 0062684 was the November 14, 2003 further disposition order entered upon termination of the further disposition hearing, which was appealable upon the filing of a motion for reconsideration of the order. See HFCR 151; HRS § 571-54; In re Doe, 102 Hawai'i 246, 250-252, 74 P.3d 998, 1002-1004 (2003). Appellant's December 23, 2003 motion for reconsideration did not seek reconsideration of the November 14, 2003 further disposition order, but sought reconsideration of the October 16, 2003 order denying appellant's motion to dismiss and the December 12, 2003 findings of fact and conclusions of law on that order. The December 12, 2003 findings and conclusions did not include findings and conclusions on the disposition of FC-J 0062684. The November 14, 2003 further disposition order -- not the December 12, 2003 findings and conclusions on the order denying the motion to dismiss -- was the appealable final order from which a motion for reconsideration should have been filed pursuant to HRS § 571-54. Absent such

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motion, the procedural requirements for HRS § 571-54 were not met. See In re Doe, 102 Hawai'i at 252, 74 P.3d at 1004.

Therefore,

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

DATED: Honolulu, Hawai'i, September 2, 2004.