

*** NOT FOR PUBLICATION ***

NO. 26487

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee

vs.

JOHN P. SOUZA, Defendant-Appellant

APPEAL FROM THE FIRST CIRCUIT COURT
(CR. NO. 03-1-2024)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that the notices of appeal filed by appellant on April 2, 2004, April 29, 2004 and June 25, 2004 are appeals from interlocutory matters that were not certified for interlocutory appeal pursuant to HRS § 641-17. Thus, the notices of appeal are premature and we lack jurisdiction over this appeal. See HRS §§ 641-11 and 641-17. Therefore,

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

DATED: Honolulu, Hawai'i, July 20, 2004.