

NO. 26671

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

IN THE INTEREST OF DOE CHILDREN:

JANE DOE, Born on April 27, 1989;

JOHN DOE, Born on February 20, 1990;

JOHN DOE, Born on September 9, 1991.

Minors

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-S NO. 92-02448)

ORDER GRANTING MOTION TO DISMISS
FOR LACK OF APPELLATE JURISDICTION

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

Upon consideration of Appellee's motion to dismiss the appeal of Mother-Appellant for lack of appellate jurisdiction, the papers in support and opposition, and the records and files herein, it appears that: (1) Appellant is appealing from the May 11, 2004 order entered by the family court; (2) Appellant's right to appeal the family court order in this case required her to file a timely motion for reconsideration pursuant to HRS § 571-54, see In re Jane Doe, No. 26668 (Hawai'i Nov. 5, 2004) (citing In re Doe, 3 Haw. App. 391, 394, 651 P.2d 492, 494 (1982)); (3) absent compliance with the statutory requirements, the matter is not appealable and the appellate court lacks jurisdiction; and (4) Appellant did not file a timely motion for reconsideration as required by HRS § 571-54. Therefore,

IT IS HEREBY ORDERED that the motion to dismiss the appeal for lack of appellate jurisdiction is granted, and this appeal is dismissed for lack of jurisdiction.

DATED: Honolulu, Hawai'i, November 17, 2004.

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for appellee on the
motion

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