

*** NOT FOR PUBLICATION ***

NO. 27727

IN THE SUPREME COURT OF THE STATE OF HAWAII

IN THE INTEREST OF N.T. and J.T.

APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT
(FC-S NO. 02-0123)ORDER DISMISSING APPEAL(By: Nakayama, J., for the court¹)

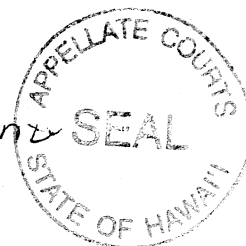
Upon review of the record, it appears that appellant's parental and custodial rights and duties were divested by the July 20, 2005 amended order awarding permanent custody. The right to appeal the July 20, 2005 amended order was conditioned upon the filing of a motion for reconsideration of the order within twenty days after the order was entered. See HRS § 571-54; In the Interest of Jane Doe, 77 Hawai'i 109, 113, 883 P.2d 30, 34 (1994); In the Interest of Jane Doe, 3 Haw. App. 391, 394, 651 P.2d 492, 494 (1982). Appellant's motion for reconsideration was filed on August 11, 2005, twenty-two days after entry of the July 20, 2005 amended order. The twenty-day statutory deadline of HRS § 571-54 could not be waived. See HRAP 26(b). Thus, the jurisdictional requirement for appealing the July 20, 2005 amended order was not met and we lack jurisdiction over this appeal. Therefore,

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

DATED: Honolulu, Hawai'i, May 17, 2006.

FOR THE COURT:

Anna A. Nakayama
Associate Justice



¹Considered by: Moon, C.J., Levinson, Nakayama, Acoba and Duffy, JJ.