

NO. 30184

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

KENNETH JELKS, Petitioner-Appellant,
v.
STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 06-1-0805)

AMENDED

ORDER DISMISSING APPEAL FOR LACK OF APPELLATE JURISDICTION

(By: Nakamura, C.J., Foley and Leonard, JJ.)

Upon review of the record, it appears that we lack appellate jurisdiction over Petitioner-Appellant Kenneth Jelks's appeal from the October 12, 2009 "Order Dismissing Defendant's Motion to Reduce Petitioner Kenneth Jelks' May 10, 2006 Order to a Separate Judgment" (Order), which was erroneously filed in Cr. No. 94-0257. The Notice of Appeal in the instant appeal purports to be an appeal from Civil No. 06-1-0805, in which the Order was not entered as part of the record. There is no final appealable order or judgment from which to appeal in Civil No. 06-1-0805.

Therefore,

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

DATED: Honolulu, Hawai'i, June 14, 2012.

Chief Judge

Associate Judge

Associate Judge