

NO. CAAP-20-0000258

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff/Appellee, v.
ROBERT K.R. QUARTERO, Defendant/Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
HONOLULU DIVISION
(CASE NO. 1DTC-17-073529)

ORDER DISMISSING APPEAL FOR LACK OF APPELLATE JURISDICTION
(By: Chan, Presiding Judge, Hiraoka and Wadsworth, JJ.)

Upon review of the record in CAAP-20-0000258, it appears this court lacks jurisdiction over the appeal by self-represented Defendant-Appellant Robert K.R. Quartero (**Quartero**) from the "Notice of Entry of Judgment and/or Order and Plea/Judgment" (**Judgment**) entered by the district court on January 13, 2020.

A notice of appeal must be filed within 30 days after entry of the judgment appealed from. Rule 4(b)(1), Hawai'i Rules of Appellate Procedure (**HRAP**). On March 4, 2020, the district court granted Quartero a 30-day extension to file a notice of appeal, to March 13, 2020, pursuant to HRAP Rule 4(b)(5). Therefore, Quartero was required to file a notice of appeal by March 13, 2020.

Quartero's notice of appeal was filed on March 18, 2020, 5 days after the extended deadline of March 13, 2020. The notice of appeal was untimely. HRAP Rule 4(b)(1) and (5).

"[C]ompliance with the requirement of the timely filing of a notice of appeal is jurisdictional." State v. Brandimart, 68 Haw. 495, 496, 720 P.2d 1009, 1010 (1986) (citations omitted). "We must dismiss an appeal on our own if we lack jurisdiction." Id. at 497, 720 P.2d at 1010 (citation omitted).

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, September 29, 2020.

/s/ Derrick H.M. Chan
Presiding Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge