

NO. CAAP-20-0000595

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.
PATRICIA L. HUNT, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT
WAILUKU DIVISION
(CASE NO. 2DTI-20-009913)

ORDER DISMISSING APPEAL FOR LACK OF APPELLATE JURISDICTION
(By: Ginoza, Chief Judge, Leonard and Wadsworth, JJ.)

Upon review of the record, we lack appellate jurisdiction over self-represented Defendant-Appellant Patricia L. Hunt's (**Hunt**) appeal from Criminal No. 2DTI-20-009913 in the District Court of the Second Circuit, Wailuku Division (**district court**).

It is unclear from the notice of appeal which of the district court's rulings Hunt seeks to appeal. If she seeks to appeal from the district court's Judgment entered on June 2, 2020, the appeal is untimely because Hunt did not file her October 5, 2020 notice of appeal within thirty days after entry of the Judgment, as Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 4(b)(1) requires. Further, Hunt's motion for reconsideration, filed on June 22, 2020, did not extend the appeal deadline. See HRAP Rule 4(b)(2) (providing that in criminal appeals, only motions under HRPP Rule 33 and 34 extend the deadline to file the notice of appeal).

If Hunt seeks to appeal from the district court's June 29, 2020 post-judgment order denying Hunt's "Motion to Request Trial for Tickets," the appeal is likewise untimely

because Hunt's notice of appeal was filed more than thirty days after entry of that order.

There is no indication in the record that the district court granted Hunt an extension of time to file the notice of appeal, under HRAP Rule 4(b)(2).

"As a general rule, compliance with the requirement of the timely filing of a notice of appeal is jurisdictional, . . . and we must dismiss an appeal on our motion if we lack jurisdiction." Grattafiori v. State, 79 Hawai'i 10, 13, 897 P.2d 937, 940 (1995) (citations, internal quotation marks, and brackets omitted). See HRAP Rule 26(b) ("[N]o court or judge or justice is authorized to change the jurisdictional requirements contained in Rule 4 of these rules.").

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

IT IS FURTHER ORDERED that all pending motions are dismissed as moot.

DATED: Honolulu, Hawai'i, November 10, 2020.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Katherine G. Leonard
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge