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Supreme Court
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SCOT-21-0000072

IN THE SUPREME COURT OF THE STATE OF HAWAII

ROBERT K.R. QUARTERO, Petitioner,

vs.

KEHAULANI A. QUARTERO, on behalf of minor child,
Respondent.

ORIGINAL PROCEEDING
(Case No. 1DA201002043)

ORDER DISMISSING ORIGINAL PROCEEDING

(By: Recktenwald, C.J., Nakayama, McKenna, Wilson, and Eddins, JJ.)

On February 16, 2021, the appellate clerks' office received a document from Robert K.R. Quartero ("Quartero") entitled, "Respondent's Notice of Appeal to the Supreme Court of the State of Hawaii Against the January 15, 2021 Order Denying Respondent's Motion for Reconsideration Filed October 22, 2020" ("Notice of Appeal"). The document was subsequently filed in this original proceeding on February 17, 2021. In addition, on February 17, 2021, Quartero filed a document seeking to proceed on appeal without paying the required filing fees. Upon consideration of the documents and the record herein, it appears that Quartero seeks to assert an appeal from the family court's

January 15, 2021 "Order Denying Respondent's Motion for Reconsideration Filed October 22, 2020" in Case No. 1DA201002043. A notice of appeal filed in the Intermediate Court of Appeals is the appropriate means to seek such appellate review. See HRS § 571-54 (an interested party aggrieved by a family court order, including an order on a motion for reconsideration, may appeal to the intermediate appellate court upon the same terms and conditions as in other cases in the circuit court, and review shall be governed by chapter 602); HRS § 602-57(a) (the ICA has jurisdiction "[t]o hear and determine appeals from any court or agency when appeals are allowed by law"). Accordingly,

IT IS HEREBY ORDERED that this original proceeding is dismissed. The clerk of the appellate court shall file the documents in this original proceeding in the Intermediate Court of Appeals. The date of receipt of the document shall be deemed the filing date.

DATED: Honolulu, Hawai'i, February 23, 2021.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

