

NO. CAAP-21-0000086

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

NADETH M. GUILTY, Petitioner-Appellee, v.
WALTER N. GUILTY, Respondent-Appellant

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-DA NO. 10-1-6266)

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

Upon review of the record, this court lacks jurisdiction over this appeal because the Notice of Appeal, filed February 25, 2021, seeks to appeal from an Order Denying Motion And Declaration To Dissolve (**Order**), filed by the Family Court of the First Circuit on October 5, 2020, but the Notice of Appeal was filed more than thirty days after the Order. The Notice of Appeal is therefore untimely. See Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 4(a)(1); Grattafiori v. State, 79 Hawai'i 10, 13, 897 P.2d 937, 940 (1995) ("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.") (citations and internal quotation marks omitted); 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.

DATED: Honolulu, Hawai'i, January 26, 2022.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge