

NO. CAAP-21-0000500

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.
NOE RAQUINIO, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
NORTH AND SOUTH KONA DIVISION
(CASE NO. 3DCW-21-0001912)

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

Upon review of the record, it appears that we lack appellate jurisdiction over self-represented Defendant-Appellant Noe Raquinio's (**Raquinio**) appeal from the District Court of the Third Circuit's (**district court**) September 2, 2021 oral denial of Raquinio's August 4, 2021 amended motion to suppress evidence because the district court has not entered a final, appealable judgment, and the oral order is not appealable. See State v. Ontiveros, 82 Hawai'i 446, 449, 923 P.2d 388, 391 (1996) ("Appeals from the district court, in criminal cases, are authorized by HRS 641-12, which . . . provides in pertinent part that appeals upon the record shall be allowed from all final decisions and final judgments of district courts in all criminal matters.") (cleaned up); State v. Bohannon, 102 Hawai'i 228, 236, 74 P.3d 980, 988 (2003) ("[T]o appeal a criminal matter in the district court, the appealing party must appeal from a *written*

judgment or order that has been filed with the clerk of the court pursuant to [Hawai'i Rules of Appellate Procedure] Rule 4(b)(3).") (emphasis in original).

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

DATED: Honolulu, Hawai'i, February 4, 2022.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge