

NO. CAAP-23-0000339

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

WILMINGTON SAVINGS FUND SOCIETY, FSB, dba CHRISTINA TRUST,
not in its individual capacity but solely as trustee for
SC Park Lane II Trust 2019-1, Plaintiff-Appellee, v.
PAUL WALLACE, Defendant-Appellant, and
HAWAIIAN PARADISE PARK OWNERS ASSOCIATION;
PORTFOLIO RECOVERY ASSOCIATES, LLC, Defendants-Appellees, and
JOHN DOES 1-50; JANE DOES 1-50; DOE PARTNERSHIPS 1-50;
DOE CORPORATIONS 1-50 and DOE GOVERNMENTAL UNITS 1-50, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 3CC121000100)

ORDER DISMISSING APPEAL FOR LACK OF JURISDICTION
(By: Leonard, Presiding Judge, Nakasone and McCullen, JJ.)

Upon review of the record, it appears that self-represented Defendant-Appellant Paul Wallace (**Wallace**) appeals from the April 10, 2023 Judgment entered by the Circuit Court of the Third Circuit. Wallace filed the May 11, 2023 Notice of Appeal more than 30 days after entry of the Judgment, which is outside of the deadline set forth in Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 4(a)(1). The record does not indicate that Wallace received an extension of time to appeal under HRAP Rule 4(a)(4), or that the deadline was otherwise tolled by a timely-filed post-judgment motion under HRAP Rule 4(a)(3). Compliance with the requirement of timely filing a notice of

appeal is jurisdictional. Grattafiori v. State, 79 Hawai'i 10, 13, 897 P.2d 937, 940 (1995).

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

IT IS FURTHER ORDERED that all pending motions are dismissed.

DATED: Honolulu, Hawai'i, July 20, 2023.

/s/ Katherine G. Leonard
Presiding Judge

/s/ Karen T. Nakasone
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge