

NO. CAAP-23-0000469

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

THE ESTATE OF MATTHEW MAKAIO KEKUMU, JR.,
aka MATTHEW M. KEKUMU, JR., Deceased

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(P. NO. 1CLP-21-0000928)

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 Respondent-Appellant Janel Kekumu (**Janel**) appeals from the April 24, 2023 "Judgment on Order Granting in Part and Denying in Part Petition to Take Elective Share and Statutory Allowances and for Allowance of Creditor's Claims" (**Judgment**), entered by the Circuit Court of the First Circuit. This court lacks appellate jurisdiction because Janel filed the August 9, 2023 Notice of Appeal more than thirty days after the Judgment, and the deadline to appeal was not tolled or extended. See Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 4(a)(1) ("[T]he notice of appeal shall be filed within 30 days after entry of the judgment or appealable order."); 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 & 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, August 15, 2023.

/s/ Katherine G. Leonard
Presiding Judge

/s/ Karen T. Nakasone
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge