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Intermediate Court of Appeals
CAAP-24-0000555
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NO. CAAP-24-0000555

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

CHARLES YAU KONG KIMOKEO, Plaintiff-Appellee, v.
JASON YAU MING KIMOKEO, Defendant-Appellant, and
EVALANI KIMOKEO MEDINA; RONALD YUEN, AS SUCCESSOR TRUSTEE OF
THE KENNETH CHOW WAH YUEN TRUST;
RONALD YUEN, AS SUCCESSOR TRUSTEE OF THE LILY AU YUEN TRUST;
CHILD SUPPORT ENFORCEMENT AGENCY, Defendants-Appellees, and
JOHN DOES 1-10; JANE DOES 1-10; DOE PARTNERSHIPS 1-10;
DOE CORPORATIONS 1-10; DOE ENTITIES 1-10, and
DOE GOVERNMENTAL UNITS 1-10, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 1CCV-22-0000389)

ORDER DISMISSING APPEAL

(By: Leonard, Acting Chief Judge, Hiraoka and Wadsworth, JJ.)

Upon review of the record in CAAP-24-0000555 and
1CCV-22-0000389,¹ it appears that:

(1) Self-represented Defendant-Appellant Jason Y.M.
Kimokeo appeals from the January 18, 2024 "Writ of Possession
and/or Ejectment" filed by the Circuit Court of the First Circuit
(**January 18, 2024 Writ**).

(2) The January 18, 2024 Writ was immediately
appealable. Ciesla v. Reddish, 78 Hawai'i 18, 20, 889 P.2d 702,
704 (1995); Lambert v. Teisina, 131 Hawai'i 457, 461, 319 P.3d
376, 380 (2014) ("writs of possession . . . are examples of
orders and decrees that [the Hawai'i Supreme Court] has held to
be appealable under the *Forgay* doctrine." (citations omitted)).

¹ The court takes judicial notice of the record in 1CCV-22-0000389.
Hawai'i Rules of Evidence Rule 201.

(3) Hawai'i Rules of Appellate Procedure Rule 4(a)(1) requires that "[w]hen a civil appeal is permitted by law, the notice of appeal shall be filed within 30 days after entry of the judgment or appealable order." Kimokeo filed the Notice of Appeal on August 20, 2024, more than thirty days after the January 18, 2024 Writ was entered. The circuit court record indicates that 1CCV-22-0000389 has not been finally resolved.

(4) Accordingly, this appeal is untimely and we lack jurisdiction. Ciesla, 78 Hawai'i at 21, 889 P.2d at 705.

Therefore, IT IS HEREBY ORDERED that this appeal is dismissed.

IT IS FURTHER ORDERED that all pending motions are dismissed.

DATED: Honolulu, Hawai'i, December 11, 2024.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge