

**Electronically Filed
Intermediate Court of Appeals
CAAP-24-0000717
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NO. CAAP-24-0000717

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
HANNAH K. VALIENTINO, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(CASE NO. 3DTI-24-203139)

AMENDED ORDER DISMISSING APPEAL

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

Upon review of the record in CAAP-24-0000717 and 3DTI-24-203139,¹ it appears that:

(1) Self-represented Defendant-Appellant Hannah Valientino (**Valientino**) appeals from the April 19, 2024 Judgment and Notice of Entry of Judgment (**April 19, 2024 Judgment**) entered by the District Court of the Third Circuit (**District Court**).

(2) The April 19, 2024 Judgment notes that Valientino's "Plea Type" was "Admit-Mitigated," entered judgment in favor of Plaintiff-Appellee State of Hawai'i as to Count 2 "HRS 291C-101 Basic Speed Rule," and ordered fines totaling \$157. The April 19, 2024 Judgment notified Valientino: "If your plea was mitigated, the judgment is final and no further review is permitted." Valientino paid the \$157 fine on April 30, 2024.

¹ The court takes judicial notice of the record in 3DTI-24-203139. Hawai'i Rules of Evidence Rule 201.

(3) HRS § 291D-7(c)(2) (Supp. 2023) states that when "a written explanation is included with an answer admitting commission of the infraction, the court shall enter judgment for the State" and "[t]here shall be no appeal from the judgement."

(4) Even if the April 19, 2024 Judgment was appealable, Valientino filed the Notice of Appeal on October 28, 2024, which is more than thirty days after the District Court entered the April 19, 2024 Judgment. See Hawai'i Rules of Appellate Procedure Rule 4(a)(1) ("When 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.").

(5) When the court "perceive[s] a jurisdictional defect in an appeal, [it] must, *sua sponte*, dismiss that appeal." Bacon v. Karlin, 68 Haw. 648, 650, 727 P.2d 1127, 1129 (1986).

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

IT IS FURTHER ORDERED that all pending motions are dismissed.

DATED: Honolulu, Hawai'i, January 27, 2025.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Kimberly T. Guidry
Associate Judge