

**Electronically Filed
Intermediate Court of Appeals
CAAP-24-0000469
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NO. CAAP-24-0000469

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

DEUTSCHE BANK NATIONAL TRUST COMPANY, A NATIONAL BANKING
ASSOCIATION, AS TRUSTEE IN TRUST FOR THE BENEFIT OF THE
CERTIFICATEHOLDERS FOR AGENT SECURITIES INC., ASSET-BACKED
PASS-THROUGH CERTIFICATES, SERIES 2006-W1, Plaintiff-Appellee,
v. KEONI KENNEDY MAIWELA, Defendant-Appellee, and
RUTH EVANGELINE MAIWELA, Defendant-Appellant, and
ARGENT MORTGAGE COMPANY, LLC; UNITED STATES OF AMERICA;
CITIBANK (SOUTH DAKOTA), N.A.;
STATE OF HAWAII - DEPARTMENT OF TAXATION;
ENCHANTED LAKES RESIDENTS ASSOCIATION, Defendants-Appellees, and
JOHN DOES 1-50; JANE DOES 1-50; DOE PARTNERSHIPS 1-50;
DOE CORPORATIONS 1-50; DOE ENTITIES 1-50, and
DOE GOVERNMENTAL UNITS 1-50, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 1CC141000370)

ORDER GRANTING MOTION TO DISMISS APPEAL

(By: Hiraoka, Presiding Judge, McCullen, J., and Circuit Court
Judge Viola, in place of Leonard, Acting Chief Judge, Wadsworth,
Nakasone, and Guidry, JJ., recused)

Upon consideration of Plaintiff-Appellee Deutsche Bank
National Trust Company, a National Banking Association, as
Trustee in Trust for the Benefit of the Certificateholders for
Argent Securities Inc., Asset-Backed Pass-Through Certificates,
Series 2006-W1's (**DB**) Motion for Order Dismissing Appeal, filed
January 6, 2025 (**Motion**), it appears DB seeks dismissal of the
appeal filed by self-represented Defendant-Appellant Ruth
Evangeline Maiwela (**Maiwela**) for lack of jurisdiction.

Maiwela appeals from the April 18, 2016 Judgment entered by the Circuit Court of the First Circuit in 1CC141000370. Maiwela filed her July 9, 2024 notice of appeal more than eight years after entry of the Judgment, which is outside of the thirty-day deadline set forth in Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 4(a)(1). The record does not indicate that Maiwela 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 Motion is granted and the appeal is dismissed for lack of jurisdiction.

DATED: Honolulu, Hawai'i, February 21, 2025.

/s/ Keith K. Hiraoka
Presiding Judge

/s/ Sonja M.P. McCullen
Associate Judge

/s/ Matthew J. Viola
Circuit Court Judge