

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-25-0000375

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

MICHAEL T LODGE, Trustee of the 524 KALANIKOA IRREVOCABLE TRUST
dated February 22, 2023, Plaintiff-Appellee, v.
LARRY A. RUTKOWSKI, Defendant-Appellant.

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
NORTH AND SOUTH HILO DIVISION
(CIVIL NO. 3DRC-24-0001886)

ORDER DISMISSING APPEAL

(By: Leonard, Presiding Judge, Hiraoka, Wadsworth, JJ.)

Upon review of the record, it appears that self-represented Defendant-Appellant Larry A. **Rutkowski** appeals from the January 6, 2025 **Judgment** for Possession entered by the District Court of the Third Circuit. Rutkowski filed the April 25, 2025 Notice of Appeal more than thirty 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 Rutkowski 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 3, 2025.

/s/ Katherine G. Leonard
Presiding Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge