

**Electronically Filed
Intermediate Court of Appeals
CAOT-15-0000328
04-FEB-2026
07:51 AM
Dkt. 9 ODSLJ**

NO. CAOT-15-0000328

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

ARWIN ECHINEQUE, Petitioner,
v.
STATE OF HAWAI'I, Respondent.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CASE NOS. 1PR101000066; 1PC141001672)

ORDER DISMISSING APPEAL FOR LACK OF APPELLATE JURISDICTION
(By: Leonard, Presiding Judge, Hiraoka and McCullen, JJ.)

Upon review of the record and files herein, it appears as follows:

- (1) Self-represented Petitioner Arwin **Echineque** filed a "complaint" in this court on April 8, 2015,
 - (a) seeking relief under Hawai'i Rules of Penal Procedure (**HRPP**) Rule 40,
 - (b) identifying S.P.P. No. 10-01-0066 (1PR101000066) and Cr. No. 14-1-1672 (1PC141001672) as the underlying cases, and
 - (c) challenging a 2015 conviction for Assault in the Third Degree;
- (2) Echineque filed similar "complaint(s)" on May 6, 2015, June 5, 2015, and October 5, 2015;
- (3) To the extent Echineque seeks HRPP Rule 40 relief, this court does not have original jurisdiction to

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address an HRPP Rule 40 petition, see Hawai'i Revised Statutes § 602-57 (2016);¹

(3) To the extent Echineque seeks to appeal his 2015 conviction,

- (a) the judgment of conviction was entered on June 2, 2015,
- (b) the June 2, 2015 conviction was affirmed by this court in an October 25, 2016 memorandum opinion, and
- (c) a motion for reconsideration would have been due 10 days later. Hawai'i Rules of Appellate Procedure Rule 40(a).

Therefore, IT IS HEREBY ORDERED that case No. CAOT-15-0000328 is dismissed for lack of jurisdiction.

DATED: Honolulu, Hawai'i, February 4, 2026.

/s/ Katherine G. Leonard
Presiding Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge

¹ Echineque filed a similar "complaint" in CAOT-12-0000048, which was dismissed for lack of jurisdiction.