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NO. CAAP-25-0000489

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

KEVIN MICHAEL RAY, Plaintiff-Appellee,
v.
LINDSEY NICOLE RAY, Defendant-Appellant

APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT
(CASE NO. 3FDV-24-0000099)

ORDER DISMISSING APPEAL FOR LACK OF JURISDICTION
(By: Hiraoka, Presiding Judge, Guidry, and Gluck, JJ.)

Upon review of the record, it appears that:

(1) On June 13, 2025, the Family Court of the Third Circuit (**Family Court**) entered its "Orders Re: Plaintiff's Motions to Compel Discovery Inspection" (**Order**).¹

(2) The Order stated that Defendant-Appellant Lindsey Nicole Ray (**Lindsey**) did not appear at the June 9, 2025 hearing on Plaintiff-Appellee Kevin Michael Ray's (**Kevin**) Motion to Compel and Kevin's Motion for Pre-Decree Relief. The Order awarded pre-decree relief (alimony) to Kevin.

(3) On July 1, 2025, Lindsey appealed to this court. She argues that the Family Court erred in entering "default"

¹ The Honorable Jeffrey W. Ng presided.

(for failing to appear at the June 9 hearing) and in awarding alimony.

(4) As the Family Court has yet to enter a divorce decree, it has not finally decided the dissolution of the marriage. Further, the Family Court has not authorized an interlocutory appeal. See Hawai'i Revised Statutes § 641-1(b).

(5) Absent a final appealable order, this court determines sua sponte that it lacks jurisdiction over the appeal. See Eaton v. Eaton, 7 Haw. App. 111, 118-19, 748 P.2d 801, 805 (1987); see also Camp v. Camp, 109 Hawai'i 469, 480, 128 P.3d 351, 362 (App. 2006).

(6) Unlike the situation in Waikiki v. Ho'omaka Village Ass'n of Hawaii Apartment Owners, 140 Hawai'i 197, 204, 398 P.3d 786, 793 (2017), in which all claims against a party had been resolved (and judicial economy favored entry of a judgment followed by an appeal), this appeal - involving only two parties and with a live controversy over alimony - is premature.

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

DATED: Honolulu, Hawai'i, May 20, 2026.

/s/ Keith K. Hiraoka
Presiding Judge

/s/ Kimberly T. Guidry
Associate Judge

/s/ Daniel M. Gluck
Associate Judge