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Intermediate Court of Appeals
CAAP-26-0000397
17-NOV-2026
08:04 AM
Dkt. 45 ODSLJ

NO. CAAP-26-0000397

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAIʻI

W.G., Plaintiff-Appellee,
v.
D.S., Defendant-Appellant.

APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT
(CASE NO. 3DV121000235)

ORDER DISMISSING APPEAL
(By: Leonard, Presiding Judge, Guidry, and Gluck, JJ.)

Upon review of the record in CAAP-26-0000397 and 3DV121000235,[1] it appears that:

(a) Self-represented Defendant-Appellant D.S. (**Mother**) appeals from the May 4, 2026 "Order on Plaintiff's Motion to Continue Evidentiary Hearing, Filed Herein on April 10, 2026" (**May 4, 2026 Order**) entered by the Family Court of the Third Circuit (**family court**).

(b) The May 4, 2026 Order granted a continuance for the evidentiary hearing on Plaintiff-Appellee W.G.'s post-decree motions, directed the parties to exchange witness and exhibit

[1] The court takes judicial notice of the record in 3DV121000235. Hawaiʻi Rules of Evidence Rule 201.

lists, and instructed the Child Support Enforcement Agency, State of Hawaiʻi to address issues regarding child support payments at the continued hearing.

(c) "In general, appeals in family court cases, as in other civil cases, may be taken only from (1) a final judgment, order, or decree, . . . or (2) a certified interlocutory order." In re Doe, 96 Hawaiʻi 272, 283, 30 P.3d 878, 889 (2001) (citing Hawaii Revised Statutes §§ 571-54 and 641-1(a)-(b)).

(d) A post-decree order is appealable if it finally determines all issues raised in the post-decree proceeding. Hall v. Hall, 96 Hawaiʻi 105, 111 n.4, 26 P.3d 594, 600 n.4 (App. 2001), *affirmed in part, and vacated in part on other grounds*, 95 Hawaiʻi 318, 22 P.3d 695 (2001).

(e) This court's October 26, 2026 Order to Show Cause stated "[i]t appears that this appeal is premature and this court lacks appellate jurisdiction as the May 4, 2026 Order does not finally determine all issues raised in the post-decree proceeding, and the record in the underlying case indicates that the family court has not yet concluded the evidentiary hearing." The court instructed Mother to "file a statement to show cause why this appeal should not be dismissed for lack of appellate jurisdiction" within 14 days, and stated that "[f]ailure by Mother to respond to this order, or to show cause, may result in the dismissal of this appeal for lack of jurisdiction." The court further instructed that "[a]ny other party may file a statement regarding appellate jurisdiction" within 14 days.

(f) Mother did not file a response to the October 26, 2026 Order to Show Cause, and no other party filed a statement.

(g) 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 jurisdiction.

IT IS FURTHER ORDERED that all pending motions are dismissed.

DATED: Honolulu, Hawaiʻi, November 17, 2026.

/s/ Katherine G. Leonard
Presiding Judge

/s/ Kimberly T. Guidry
Associate Judge

/s/ Daniel M. Gluck
Associate Judge