

**Electronically Filed
Intermediate Court of Appeals
CAAP-22-0000680
15-DEC-2022
07:50 AM
Dkt. 25 ODSLJ**

NO. CAAP-22-0000680

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

HAWAIIAN RANCHOS ROAD MAINTENANCE CORPORATION,
Plaintiff/Counterclaim Defendant-Appellee, v.
JERRY HALVORSEN, Defendant/Counterclaimant-Appellant, and
JUDITH BOND, Defendant-Appellant, and LARRY SHELTON;
GEORGE CLINE; RAY RAQUINIO; JERRY FINE,
Defendants/Counterclaimants-Appellees, and
NANCY BONDURANT, Defendant-Appellee, and DOES 1-20, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 3CC181000222)

ORDER GRANTING MOTION TO DISMISS APPEAL

(By: Leonard, Presiding Judge, McCullen and Chan, JJ.)

Upon consideration of Plaintiff/Counterclaim Defendant-Appellee Hawaiian Ranchos Road Maintenance Corporation's November 8, 2022 Motion to Dismiss Appeal, the papers in support, the record, and there being no timely opposition, it appears:

(1) The Circuit Court of the Third Circuit entered a Final Judgment on September 6, 2022;

(2) Self-represented Defendant/Counterclaimant-Appellant Jerry Halvorsen and Defendant-Appellant Judith Bond (**Appellants**) filed the November 4, 2022 notice of appeal more than thirty (30) days thereafter, which is outside of the deadline set forth in Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 4(a)(1); and

(3) the record does not indicate that Appellants 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), Grattafiori v. State, 79 Hawai'i 10, 13, 897 P.2d 937, 940 (1995); HRAP Rule 4(a)(4).

Thus, this court lacks jurisdiction over the appeal.

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

DATED: Honolulu, Hawai'i, December 15, 2022.

/s/ Katherine G. Leonard
Presiding Judge

/s/ Sonja M.P. McCullen
Associate Judge

/s/ Derrick H.M. Chan
Associate Judge