

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-24-0000211

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
WILLIAM DOUGLAS ALLEN, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CASE NO. 2CPC-20-0000109)

ORDER DISMISSING APPEAL FOR LACK OF JURISDICTION

(By: Leonard, Acting Chief Judge, Hiraoka and Wadsworth, JJ.)

Upon review of the record, it appears that Defendant-Appellant William Douglas Allen filed a self-represented¹ appeal from the Circuit Court of the Second Circuit's March 11, 2024 oral denial of his January 12, 2024 Motion to Dismiss, and from a June 18, 2021 "Order Denying Defendant's Motion to Strike Count Three with Reference to Hawaii Revised Statute [sic] § 706-657."

The court lacks appellate jurisdiction because the Circuit Court has not yet entered a final judgment and sentence in the underlying case, see Hawaii Revised Statutes (**HRS**) § 641-11 (2016); State v. Nicol, 140 Hawai'i 482, 492, 403 P.3d 259, 269 (2017), the Circuit Court has not directed that either order appealed from be certified for interlocutory appeal under HRS § 641-17 (2016), and neither order is immediately appealable under the collateral order exception. State v. Johnson, 96 Hawai'i 462, 470 n.12, 32 P.3d 106, 114 n.12 (App. 2001).

¹ It appears Appellant is represented by court-appointed counsel in the underlying proceeding.

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.

IT IS FURTHER ORDERED that all pending motions are dismissed.

DATED: Honolulu, Hawai'i, April 18, 2024.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge