

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-23-0000224

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
JONATHAN P. SPIES, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CASE NO. 3CPC-21-0001004)

ORDER DISMISSING APPEAL FOR LACK OF JURISDICTION

(By: Hiraoka, Presiding Judge, Wadsworth and Guidry, JJ.)

Upon review of the record, it appears that self-represented Defendant-Appellant Jonathan P. Spies (**Spies**) appeals from the March 28, 2023 "Order Denying (1) Defendant's Notice of Protest, Opposition of the Taking of Personal and Subject Matter Jurisdiction; (2) Defense Counsel Motion to Withdraw for Limited Purposes of Motion Filed March 6, 2023 [Dkt. 186]" (**March 28, 2023 Order**). We conclude that the court lacks jurisdiction over the appeal because the March 28, 2023 Order is not an order or judgment that finally determines, and thus ends, all proceedings leaving nothing further to be accomplished, Hawaii Revised Statutes (**HRS**) § 641-11 (2016), State v. Nicol, 140 Hawai'i 482, 492, 403 P.3d 259, 269 (2017), it has not been certified for interlocutory appeal, see HRS § 641-17 (2016), and it is not an

appealable collateral order. State v. Baranco, 77 Hawai'i 351, 355, 884 P.2d 729, 7331-32 (1994) (citation omitted).

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.¹

IT IS FURTHER ORDERED that all pending motions are dismissed as moot.

DATED: Honolulu, Hawai'i, November 24, 2023.

/s/ Keith K. Hiraoka
Presiding Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Kimberly T. Guidry
Associate Judge

¹ This order does not affect Spies's separate appeal in CAAP-23-0000388 from the June 9, 2023 Judgment of Conviction and Sentence entered in the underlying case.