

NO. 24001

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

KENYA BIAFRA REYNOLDS DANIELSON,
Plaintiff/Counter-Defendant-Appellee

vs.

EUGENE ANDRE DANIELSON,
Defendant/Counter-Plaintiff-Appellant

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-D NO. 90-4192)

ORDER DISMISSING APPEAL
(By: Moon, C.J., Levinson,
Nakayama, Ramil, and Acoba, JJ.)

Upon review of the record, it appears that the issue of child support overpayment was raised as part of the February 2, 2000 motion for post-decree relief from child support arrearage. The December 20, 2000 order setting aside the credit of child support overpayment did not finally determine the February 2, 2000 motion, but set the motion for further hearing to determine the matter of arrearage. Thus, the appeal of the December 20, 2000 order is premature and we lack jurisdiction. See HRS §§ 641-1(a) and 571-54. Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, May 25, 2001.