

*** NOT FOR PUBLICATION ***

NO. 27387

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

KENNETH JELKS, petitioner-Appellant

vs.

STATE OF HAWAI'I, Respondent-Appellee

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

2006 MAR 17 PM 1:56

FILED

APPEAL FROM THE FIRST CIRCUIT COURT
(S.P.P. NO. 04-1-0003)

ORDER DISMISSING APPEAL

(By: Nakayama, J., for the court¹)

Upon review of the record, it appears that the denial of appellant's motion for transcripts concerning SPP No. 04-1-0003 and for waiver of transcript costs is reviewable on appellant's appeal of SPP No. 04-1-0003; however, appellant's appeal of SPP No. 04-1-003 was dismissed for lack of jurisdiction. Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed.

DATED: Honolulu, Hawai'i, March 17, 2006.

FOR THE COURT:

Funda O. Nakayama

Associate Justice



¹Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.