

*** NOT FOR PUBLICATION ***

NO. 27663

IN THE SUPREME COURT OF THE STATE OF HAWAII

E.M. RICHMOND
CLERK, APPELLATE COURTS
STATE OF HAWAII

2006 MAY 30 AM 10:52

FILED

In the Interest of K.D.

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-S NO. 01-07576)

ORDER DISMISSING MOTHER APPELLANT'S APPEAL
(By: Nakayama, J., for the court¹)

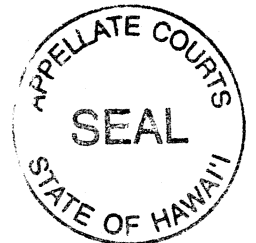
Upon review of the record, it appears that mother-appellant's parental and custodial rights and duties were divested by the November 1, 2005 order awarding permanent custody. The right to appeal the November 1, 2005 order was conditioned upon the filing of a motion for reconsideration of the order within twenty days after the order was entered. See HRS § 571-54; In the Interest of Jane Doe, 77 Hawai'i 109, 113, 883 P.2d 30, 34 (1994); In the Interest of Jane Doe, 3 Haw. App. 391, 394, 651 P.2d 492, 494 (1982). Mother-appellant's motion for reconsideration was filed on November 28, 2005, twenty-seven days after entry of the November 1, 2005 order. The twenty-day statutory deadline of HRS § 571-54 could not be waived. See HRAP 26(b). Thus, the jurisdictional requirement for appealing the November 1, 2005 order was not met by mother-appellant and we lack jurisdiction over mother-appellant's appeal. Therefore,

IT IS HEREBY ORDERED that mother-appellant's appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, May 30, 2006.

FOR THE COURT:

Paula C. Nakayama
Associate Justice



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