

INTERMEDIATE COURT OF APPEALS OF THE STATE OF HAWAI‘I

A.B. v. J.M.

No. CAAP-XX-XXXXXXX, Intermediate Court of Appeals of the State of Hawai‘i (March 5, 2026)

SUMMARY

The Intermediate Court of Appeals of Hawai‘i amended its order dismissing J.M.'s appeal for lack of jurisdiction. The court held that no dissolution-of-marriage order had been entered and that the challenged order denying a petition for return of the subject children was not independently appealable.

CASE DETAILS

COURT	Intermediate Court of Appeals of the State of Hawai‘i
WRITING FOR THE COURT	Keith K. Hiraoka, Presiding Judge; Clyde J. Wadsworth, Associate Judge; Kimberly T. Guidry, Associate Judge
JURISDICTION	Hawai‘i Intermediate Court of Appeals
DECIDED	March 5, 2026
DOCKET	CAAP-XX-XXXXXXX
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant-Appellant J.M. appealed the Family Court of the Third Circuit's August 11, 2025 order denying J.M.'s petition for return of the subject children.
STANDARD OF REVIEW	The court reviewed the record to determine whether it had appellate jurisdiction.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	J.M. v. A.B.

TOPICS

appellate jurisdiction

family law procedure

dissolution of marriage

interlocutory appeal

final judgment rule

PRACTICE AREAS

family law

appellate procedure

civil procedure

QUESTIONS PRESENTED

1. Whether the Intermediate Court of Appeals had jurisdiction over an appeal from an order denying a petition for return of the subject children when the Family Court had not entered an order dissolving the marriage.
2. Whether the August 11, 2025 order was independently appealable under the collateral-order or Forgay doctrines or through an interlocutory appeal.

HOLDINGS

1. The Intermediate Court of Appeals lacked jurisdiction because the Family Court had not entered an order for dissolution of the marriage.
2. The August 11, 2025 order denying the petition for return of the subject children was not independently appealable.

KEY QUOTATIONS

“Therefore, IT IS HEREBY ORDERED that this appeal is dismissed for lack of jurisdiction.” (at 1)

FACTUAL BACKGROUND

J.M. sought the return of the subject children through a petition filed in the Family Court of the Third Circuit. The family court denied that petition on August 11, 2025, and J.M. appealed before an order dissolving the marriage had been entered.

PROCEDURAL HISTORY

The Family Court of the Third Circuit entered an order denying Defendant's petition for return of the subject children. The Intermediate Court of Appeals dismissed the appeal because the Family Court had not entered an order dissolving the marriage and the challenged order was not independently appealable.

DISPOSITION

dismissed

CASES CITED

- DL v. CL, 146 Hawai‘i 328, 337, 463 P.3d 985, 994 (2020)
- Greer v. Baker, 137 Hawai‘i 249, 253, 369 P.3d 832, 836 (2016)

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