

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.

OPINION

PER CURIAM.

NOT FOR PUBLICATION IN WEST'S HAWAI‘I REPORTS AND PACIFIC REPORTER
Electronically Filed Intermediate Court of Appeals CAAP-XX-XXXXXXX 05-MAR-2026 08:28
AM Dkt. 36 AMORD NO. CAAP-XX-XXXXXXX IN THE INTERMEDIATE COURT OF
APPEALS OF THE STATE OF HAWAI‘I A.B., Plaintiff-Appellee, v. J.M., Defendant-Appellant
APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT (CASE NO. 3FDV-XX-
XXXXXXX) AMENDED ORDER DISMISSING APPEAL FOR LACK OF JURISDICTION
(By: Hiraoka, Presiding Judge, Wadsworth and Guidry, JJ.)

Upon review of the record in CAAP-XX-XXXXXXX and 3FDV-XX-XXXXXXX,¹ it appears that: (1) Defendant-Appellant J.M. appeals from the August 11, 2025 Order Denying Defendant's Petition for Return of Subject Children to Defendant-Father entered by the Family Court of the Third Circuit.

(2) We lack jurisdiction over this appeal because the Family Court has not entered an order for dissolution of the marriage, HRS § 571–54 (2018); DL v. CL, 146 Hawai‘i 328, 337, 1 The court takes judicial notice of the record in 3FDV-XX-XXXXXXX. Hawai‘i Rules of Evidence Rule 201. NOT FOR PUBLICATION IN WEST'S HAWAI‘I REPORTS AND PACIFIC REPORTER 463 P.3d 985, 994 (2020), and the August 11, 2025 Order is not independently appealable, see Greer v. Baker, 137 Hawai‘i 249, 253, 369 P.3d 832, 836 (2016) (reciting the requirements for appeals under the collateral-order doctrine and the Forgay doctrine); HRS § 641-1(b) (2016) (setting forth the requirements for leave to file an interlocutory appeal).

Therefore, IT IS HEREBY ORDERED that this appeal is dismissed for lack of jurisdiction. IT IS FURTHER ORDERED that the court will take no further action on the December 18, 2025 Order to Show Cause. IT IS FURTHER ORDERED that all pending motions are dismissed. DATED:

Honolulu, Hawai#i, March 5, 2026. /s/ Keith K. Hiraoka Presiding Judge /s/ Clyde J. Wadsworth
Associate Judge /s/ Kimberly T. Guidry Associate Judge 2

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