

INTERMEDIATE COURT OF APPEALS OF THE STATE OF HAWAI‘I

Keahi v. Agena

Keahi · No. CAAP-XX-XXXXXXX · Decided January 14, 2026

SUMMARY

The Hawai‘i Intermediate Court of Appeals dismissed Kona Wong Kapule’s appeal for lack of appellate jurisdiction. The court held that the circuit court’s oral order denying a motion to quash was not appealable, and that no final judgment, interlocutory appeal authorization, collateral-order exception, or Forgay doctrine supported jurisdiction.

CASE DETAILS

COURT	Intermediate Court of Appeals of the State of Hawai‘i
WRITING FOR THE COURT	Karen T. Nakasone; Sonja M.P. McCullen; Kimberly T. Guidry
JURISDICTION	Intermediate Court of Appeals of the State of Hawai‘i
DECIDED	January 14, 2026
DOCKET	CAAP-XX-XXXXXXX
DISPOSITION	dismissed
PROCEDURAL POSTURE	Kapule appealed from the Circuit Court of the Fifth Circuit's oral order denying his special appearance and motion to quash an amended complaint. Keahi moved to dismiss the appeal for lack of appellate jurisdiction.
STANDARD OF REVIEW	The court determined de novo whether it had appellate jurisdiction and whether the challenged order was appealable.
PRECEDENTIAL VALUE	Unpublished; not for publication in the West's Hawai‘i Reports and Pacific Reporter.
PARTIES	Kona Wong Kapule v. Alvin K. Keahi, Audrey Agena, Milton K.C. Ching

TOPICS

- appellate jurisdiction
- final judgment rule
- interlocutory appeal
- appellate procedure
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure

QUESTIONS PRESENTED

1. Whether the Circuit Court's oral order denying Kapule's special appearance and motion to quash was appealable.
2. Whether the Intermediate Court of Appeals had appellate jurisdiction under the final-judgment rule, the interlocutory-appeal statute, or the collateral-order or Forgay doctrines.

HOLDINGS

1. The oral order was not appealable because a minute order is not an appealable order, and the challenged oral order was not a decision that could be reduced to a final judgment.
2. The order was not independently appealable under the collateral-order or Forgay doctrines.

KEY QUOTATIONS

“A minute order is not an appealable order.”

“Therefore, IT IS HEREBY ORDERED that the motion is granted, and the appeal is dismissed for lack of jurisdiction.”

FACTUAL BACKGROUND

Kapule, appearing self-represented, challenged an amended complaint by filing a special appearance and motion to quash. The Circuit Court orally denied that motion. Kapule then appealed the oral order, and Keahi sought dismissal for lack of appellate jurisdiction.

PROCEDURAL HISTORY

The Circuit Court of the Fifth Circuit orally denied Kapule's July 31, 2025 special appearance and motion to quash an amended complaint. Kapule appealed that August 28, 2025 oral order. The Intermediate Court of Appeals granted Keahi's motion to dismiss because the order was not appealable and the court lacked appellate jurisdiction.

DISPOSITION

dismissed

CASES CITED

- *Abrams v. Cades, Schutte, Fleming & Wright*, 88 Hawai‘i 319, 321 n.3, 966 P.2d 631, 633 n.3 (1998)
- *Jenkins v. Cades Schutte Fleming & Wright*, 76 Hawai‘i 115, 119, 869 P.2d 1334, 1338 (1994)
- *Greer v. Baker*, 137 Hawai‘i 249, 253, 369 P.3d 832, 836 (2016)
- *Brown v. Wong*, 71 Haw. 519, 795 P.2d 283 (1990)
- *Forgay v. Conrad*, 47 U.S. 201 (1848)

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