

NO. 23142

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I,) CR. NO. 99-284
)
Plaintiff-Appellee,)
)
v.)
)
JEWEL Y. LOVE,)
)
Defendant-Appellant.)
_____)

ORDER DISMISSING APPEAL

Upon review of the record, it appears that: (1) the appeal of the orders dismissing the complaint without prejudice and denying reconsideration of the dismissal without prejudice is not authorized by HRS §§ 641-11 or 641-17, which authorize a defendant in a circuit court criminal case to appeal only from a judgment of conviction or a certified interlocutory order; and thus, (2) we lack jurisdiction over this appeal; State v. Grattafiori, 79 Hawai'i 10, 13, 897 P.2d 937, 940 (1995) ("The right of appeal in a criminal case is purely statutory and exists only when given by some constitutional or statutory provision."). Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, June 16, 2000.

RONALD T.Y. MOON, Chief Justice

STEVEN H. LEVINSON, Associate Justice

PAULA A. NAKAYAMA, Associate Justice

MARIO R. RAMIL, Associate Justice

SIMEON R. ACOBA, JR., Associate Justice