NO. CAAP-19-0000866

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAIʻI

PAUL LOUIS POCINO, Plaintiff-Appellant, v.
JOHANNE MURIEL AUGER; ROSA VILLONGCO FLORES;
GREGORY L. RYAN ATTORNEY AT LAW LIMITED LIABILITY LAW COMPANY,
a Hawaiʻi limited liability company; JOHN DOES 1-10;
JANE DOES 1-10; DOE CORPORATIONS 1-10; ET. AL.,
Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT
(CASE NO. 5CC181000103)

ORDER DISMISSING APPEAL FOR LACK OF APPELLATE JURISDICTION
(By: Chan, Presiding Judge, Hiraoka and Wadsworth, JJ.)

Upon review of the record, it appears we lack jurisdiction over the appeal by Plaintiff-Appellant Paul Louis Pocino (**Pocino**) from the Judgment entered by the Fifth Circuit Court on August 18, 2020 (**Judgment**) in favor of Defendants-Appellees Rosa Villongco Flores (**Flores**) and Gregory L. Ryan Attorney at Law (**Ryan**).

"[A]n appeal from any judgment will be dismissed as premature if the judgment does not, on its face, either resolve all claims against all parties or contain the finding necessary for certification under [Hawaiʻi Rules of Civil Procedure (**HRCP**) Rule] 54(b)." Jenkins v. Cades Schutte Fleming & Wright, 76 Hawaiʻi 115, 119, 869 P.2d 1334, 1338 (1994).

The Judgment does not resolve all claims against all parties; rather, it states, "All claims against Defendant Johann Muriel Auger and any other Defendant are still pending."

The Judgment does not contain the express finding of "no just reason for delay" in the entry of judgment as to fewer than all parties under HRCP Rule 54(b), nor does it state against whom the judgment in favor of Flores and Ryan is entered.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawaiʻi, September 28, 2020.

/s/ Derrick H.M. Chan
Presiding Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge