

NO. 24805

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ALEXANDER MALAHOFF; LINDA CURRIVAN; DIANE FERREIRA; HUGH FOLK;
VINCENT LINARES; DAVID MILLER; and UNIVERSITY OF HAWAI'I
PROFESSIONAL ASSEMBLY, Plaintiffs-Appellees

vs.

RAYMOND H. SATO, in his capacity as Comptroller of the State of
Hawai'i; and BENJAMIN J. CAYETANO, in his capacity as Governor of
the State of Hawai'i, Defendants-Appellants

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 99-2173)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

Upon review of the record, it appears that the December 12, 2001 judgment in Civil No. 99-2173-06, the Honorable Victoria S. Marks presiding, does not satisfy the requirements of Rule 58 of the Hawai'i Rules of Civil Procedure (HRCP). "An appeal may be taken from circuit court orders resolving claims against parties only after the orders have been reduced to a judgment and the judgment has been entered in favor of and against the appropriate parties pursuant to HRCP 58[.]" Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119. 869 P.2d 1334, 1338 (1994). Furthermore, "if the judgment purports to be the final judgment in a case involving multiple claims or multiple parties, the judgment . . . must identify the claims for which it is entered[.]" Id. Although Plaintiffs-Appellees Alexander Malahoff, Linda Currivan, Diane Ferreira, Hugh Folk, Vincent

Linares, David Miller, and University of Hawaii Professional Assembly's (the Appellees) amended complaint asserts four separate causes of action against multiple parties, the December 12, 2001 judgment does not identify the claims for which it is entered or that judgment is entered on all four of the Appellees' causes of action. Therefore, Defendants-Appellants Raymond H. Sato and Benjamin J. Cayetano's appeal is premature and we lack appellate jurisdiction over this case.

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

DATED: Honolulu, Hawai'i, April 29, 2002.