

NO. 25361

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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CHRIS GRINDLING, Petitioner-Appellant

vs.

ACO DUFFY, Respondent-Appellee

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APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT  
(CIV. NO. 2SSW02-0185)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that we do not have jurisdiction over Plaintiff-Appellant Chris Grindling's (Appellant Grindling) appeal from Civil No. 2SSW02-0185.

As a general matter, this court's jurisdiction over an appeal is limited to a review of final judgments, orders and decrees. Hawai'i Revised Statutes § 641-1(a) (1985). Judgment is not final in a case until all claims of the parties have been terminated. . . .

In a case of multiple claims or multiple parties, a judgment or order that conclusively determines some but not all claims, or that conclusively determines the rights and liabilities of some but not all parties, may be certified for immediate review pursuant to District Court Rules of Civil Procedure (DCRCP) Rule 54(b).

Ciesla v. Reddish, 78 Hawai'i 18, 20, 889 P.2d 702, 704 (1995)

(citation omitted) (emphasis added). The district court has not entered an order or judgment disposing of Appellant Grindling's ex parte motion for a temporary restraining order. Therefore, there is no appealable order or judgment pursuant to HRS § 641-1(a) (1993), and Appellant Grindling's appeal is premature.

Accordingly,

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

DATED: Honolulu, Hawai'i, November 8, 2002.