

*** NOT FOR PUBLICATION ***

NO. 26803

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

RICHARD BLAISDELL, Plaintiff-Appellant

vs.

DEPARTMENT OF PUBLIC SAFETY, Defendant-Appellee

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 04-1-1455)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that the circuit court's August 30, 2004 order dismissing Civil No. 04-1-1455 has not been reduced to a separate judgment, as required by HRCP 58. See Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 869 P.2d 1334 (1994); Price v. Obayashi, 81 Hawai'i 171, 176, 914 P.2d 1364, 1371 (1996). Thus, this appeal is premature and we lack jurisdiction. Therefore,

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

DATED: Honolulu, Hawai'i, January 21, 2005.