

*** NOT FOR PUBLICATION ***

NO. 27045

IN THE SUPREME COURT OF THE STATE OF HAWAII

2005 APR 18 PM 2:12
CLERK OF THE SUPREME COURT
STATE OF HAWAII

FILED

JOHN A. JONES, Plaintiff-Appellant

vs.

CHANEewan IAMWONG, TYRONE P. COLLINS, ROCKY'S LIMOUSINE SERVICE,
Defendants-Appellees

and

JOHN DOES 1-99, JANE DOES 1-99, DOE PARTNERSHIPS, CORPORATIONS
AND/OR OTHER ENTITIES 1-99, Defendants

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 01-1-2939)

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 orders entered on December 7, 2004, January 18, 2005 and February 17, 2005 were not 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) (an order that resolves claims in a circuit court civil case is not appealable unless the order is reduced to separate judgment pursuant to HRCP 58). If the aforementioned orders were reduced to a separate judgment, the separate judgment was not entered by the time the record for Civil No. 01-1-2939 was filed in the supreme court on March 7, 2005. See Jenkins, 76 Hawai'i at 120, 869 P.2d at 1339 ("An appeal from an order that is not reduced to a judgment in favor of or against the party by the time the record is filed in

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the supreme court will be dismissed."). 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, April 18, 2005.



Steven H. Levinson

Puna O. T. ...



Puna O. T. ...