

*** NOT FOR PUBLICATION ***

NO. 27163

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

T.D., Petitioner-Appellant

vs.

J.H., Defendant-Appellee

and

CHILD SUPPORT ENFORCEMENT AGENCY, Defendant

K. HAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2005 OCT 27 AM 10:01

FILED

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-P NO. 04-1-0404)

ORDER DISMISSING APPEAL

(By: Nakayama, J., for the court¹)

Upon review of the record, it appears that the February 24, 2005 order is not an appealable final order under HRS §§ 571-54 and 641-1(a) because the order left for further determination the matter of attorney's fees and costs that has yet to be decided. See Casumpang v. ILWU, Local 142, 91 Hawai'i 425, 426, 984 P.2d 1251, 1252 (1999) (an order is final and appealable when it ends the litigation by fully deciding all rights and liabilities of the parties, leaving nothing further to be adjudicated). Thus, we lack jurisdiction. Therefore,

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

DATED: Honolulu, Hawai'i, October 27, 2005.

FOR THE COURT:

Amica A. Nakayama
Associate Justice



¹Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.