

NO. 24039

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

DOMINICK L. N. OBERLE, Plaintiff-Appellant

vs.

CLAYTON T. SHOHO, Defendant-Appellee

and

Doe Defendants 1-100, Defendants

and

CLAYTON T. SHOHO, Third-Party Plaintiff

vs.

MARIA MUNOZ, Third-Party Defendant

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 96-3968)

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

Upon review of the record, it appears that: (1) the judgment entered on October 11, 2000, which purports to be the final judgment in Civil No. 96-3968, does not enter judgment in favor of and against the parties on the plaintiff's complaint; see Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119-20, 869 P.2d 1334, 1338-39 (1994) (a judgment entered pursuant to HRCF 58 is not appealable unless it enters judgment in favor of and against the appropriate parties on the claim for which the judgment is entered); and thus, (2) 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, May 1, 2001.