

NO. 24275

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

FRANCISCO Q. FERRER, Plaintiff-Appellee/Cross-Appellant

vs.

DANIEL T. NGO, Defendant-Appellant/Cross-Appellee

and

ALLSTATE INSURANCE COMPANY, Defendant

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 98-2563)

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

Upon review of the record, it appears that the circuit court's May 2, 2001 judgment, the Honorable Linda K. C. Luke, presiding, enters judgment on the claim against defendant Allstate Insurance Company, but does not include the entry of judgment on the claim against defendant Daniel Ngo made in the February 22, 2000 judgment. See Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119-20, 869 P.2d 1334, 1338-39 (1994) (In a multi-claim, multi-party circuit court case in which all claims against all the parties have been resolved, an appeal may be taken after entry of a judgment that, on its face, resolves all claims against all the parties.). Absent entry of a judgment that enters judgment on the claims against defendant Ngo and defendant Allstate Insurance Company, the appeal of the dismissal as to Allstate Insurance Company and the denial of taxation of costs is premature. Therefore,

IT IS HEREBY ORDERED that this appeal and cross-appeal are dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, August 27, 2001.