

NO. 24467

IN THE SUPREME COURT OF THE STATE OF HAWAII

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SANDRA JEAN DELMONTE, Plaintiff-Appellant

vs.

STATE FARM FIRE AND CASUALTY COMPANY,  
an Illinois corporation, Defendant-Appellee

and

WATANABE ING & KAWASHIMA, a Hawaii  
corporation; and DOES 1-50, Defendants  
(CIV. NO. 96-0434)

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JAMES RICHARD DELMONTE, Plaintiff-Appellant

vs.

STATE FARM FIRE AND CASUALTY COMPANY,  
an Illinois corporation, Defendant-Appellee

and

WATANABE ING & KAWASHIMA, a Hawaii  
Corporation; and DOES 1-50, Defendants  
(CIV. NO. 96-2698)

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NOS. 96-0434 & 96-2698)

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

Upon review of the statements supporting and contesting jurisdiction, the motion to dismiss appeal and the papers supporting and opposing the motion, and the record, it appears that the July 9, 2001 order sanctioning the plaintiffs to pay \$250 is not immediately appealable by the plaintiffs, who can

seek review of the order on appeal from a final judgment in Civil Nos. 96-0434 and 96-2698. See Siangco v. Kasadate, 77 Hawaii 157, 883 P.2d 78 (1994). The July 9, 2001 order, if construed as a sanction order against the plaintiffs and their attorney, is appealable by the attorney, Myles Yamamoto, but the August 7, 2001 notice of appeal did not name Yamamoto as a party on appeal. See HRAP 3(c); Stewart Properties, Inc. v. Brennan, 8 Haw. App. 431, 435, 807 P.2d 606, 608 (1991); Gold v. Harrison, 88 Hawaii 94, 103-04, 962 P.2d 353, 362-63 (1998). Thus, we lack jurisdiction over this appeal. Therefore,

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

DATED: Honolulu, Hawaii, November 30, 2001.