

*** NOT FOR PUBLICATION ***

NO. 25804

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ROLANDO L. MELO, as Special Administrator for the Estate of
EMILIANA L. MELO, CORBETT O. ROY, JR., and GARLA K. SOUZA-ROY,
Plaintiffs-Appellees

vs.

AIG HAWAII INSURANCE COMPANY, INC., Defendant-Appellant

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 02-1-0676)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon review of the record, it appears that the April 9, 2003 judgment, the Honorable Gary W. B. Chang, presiding, purports to be the final judgment in Civil No. 02-1-0676, but the judgment fails to state that the judgment in favor of the plaintiffs and against the defendant is a judgment on all of the plaintiff's claims for declaratory relief and on the defendant's counterclaim. See Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119-120, 869 P.2d 1334, 1338-39 (1994) (In a multiple claim or multiple party circuit court case, a judgment that purports to be the final judgment must identify the claims for which the judgment is entered and must, on its face, show finality as to all claims. A statement that declares 'there are no other outstanding claims' is not a judgment.). Thus, this

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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, August 4, 2003.