

*** NOT FOR PUBLICATION ***

NO. 26765

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

THE ESTATE OF HELEN KALITIS CHUM, DECEASED

APPEAL FROM THE FIRST CIRCUIT COURT
(PROBATE NO. 03-1-0019)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that the July 22, 2004 order disposing of the petition regarding ownership of property fully addressed all claims raised in the petition to which it relates, but did not finally end the proceeding in Probate No. 03-1-0019. The July 22, 2004 order was not certified for appeal in the manner provided for by HRCP 54(b) and was not reduced to a separate certified judgment. Absent such certification and entry of a certified judgment, the appeal of the July 22, 2004 order is premature and we lack jurisdiction. See HPR 34(a) and (d); HRS § 641-1(a). Therefore,

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

DATED: Honolulu, Hawai'i, December 9, 2004.