

NO. 27076

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

OFFICE OF HAWAIIAN AFFAIRS, TRUSTEES OF THE OFFICE OF HAWAIIAN
AFFAIRS, Plaintiffs/Appellants,

vs.

STATE OF HAWAI'I, Defendant/Appellee.

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 03-1-1505-07)

2005 MAY 20 AM 8:16
NORMA I. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

2005 MAY 20 AM 8:16

FILED

ORDER DENYING MOTION OF STATE OF HAWAI'I TO
DISMISS APPEAL FOR LACK OF APPELLATE JURISDICTION

(By: Moon, C.J., Levinson, Nakayama, Acoba, JJ., and Circuit
Judge Hara, in place of Duffy, J., recused)

Upon consideration of Defendant-Appellee State of
Hawai'i's motion to dismiss appeal for lack of appellate
jurisdiction, the papers in support and opposition, and the
records and files herein,

IT IS HEREBY ORDERED that the motion to dismiss is
denied. The parties shall address the issue of jurisdiction in
their respective briefs.

DATED: Honolulu, Hawai'i, May 20, 2005.

Dorothy Sellers,
deputy attorney general,
for defendant/appellee

Christopher J. Cole
(McCorriston Miller Mukai
MacKinnon), for plaintiffs/
appellants on the
opposition