

NO. 23418

IN THE SUPREME COURT OF THE STATE OF HAWAII

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MARGARET McLAUGHLIN, fka MARGARET  
MADDIGAN, Plaintiff-Appellant

vs.

ARTHUR MADDIGAN, Defendant-Appellee

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APPEAL FROM THE FAMILY COURT OF THE SECOND CIRCUIT  
(FC-D NO. 94-0045)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that: (1) the January 28, 2000 and February 1, 2000 motions for attorney's fees, costs and expenses were filed in conjunction with the December 10, 1999 post-judgment motion to enforce the custody agreement and to implement a residential schedule; (2) the March 29, 2000 order deciding the January 28, 2000 and February 1, 2000 motions is appealable upon entry of an order finally deciding the December 10, 1999 motion; (3) until all matters raised in the December 10, 1999 motion have been finally decided, the appeal of the March 29, 2000 order is premature; HRS §§ 641-1(a) and 571-54; and, thus, (4) we lack jurisdiction over this appeal. Therefore,

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

DATED: Honolulu, Hawai'i, September 12, 2000.