

NO. 23455

IN THE SUPREME COURT OF THE STATE OF HAWAII

RONALD L. DURETTE, Plaintiff-Appellant

vs.

ALOHA PLASTIC RECYCLING, INC.,
a Hawai'i corporation, Defendant-Appellee

and

RICHARD DORAN, HAROLD HAROUN,
and THOMAS REED, Defendants

APPEAL FROM THE SECOND CIRCUIT COURT
(CIV. NO. 97-0519(3))

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

Upon review of the record, it appears that: (1) the April 24, 2000 judgment, which purports to be the final judgment in Civil No. 97-0519, enters judgment only on the claims against defendant Aloha Plastics Recycling, Inc. and does not show finality as to the claims against the other defendants, as required by HRCP 58; see Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119-120, 869 P.2d 1334, 1339-39 (1994); and, thus, (2) this 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, September 21, 2000.