

NO. 23510

IN THE SUPREME COURT OF THE STATE OF HAWAII

ARC PARTNERS, LTD., Plaintiff-Appellee

vs.

JACK R. HENDRICKSON and CARRIE MARIE
HENDRICKSON, Defendants-Appellants

and

LOS PADRES SAVINGS BANK, FIRST FEDERAL SAVINGS
AND LOAN ASSOCIATION, JOHN DOES 1-10, JANE DOES 1-10,
DOE CORPORATIONS 1-10, DOE ENTITIES 1-10,
and DOE GOVERNMENTAL UNITS 1-10, Defendants

APPEAL FROM THE FIFTH CIRCUIT COURT
(CIV. NO. 98-0233)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that: (1) the appeal of the May 10, 2000 order denying the motion for relief from the order of foreclosure and the June 16, 2000 order confirming the foreclosure sale is an appeal from the second part of the foreclosure case on the \$1.3 million note; (2) the second part of the foreclosure case on the \$1.3 million note has not been finally completed inasmuch as a deficiency judgment on the \$1.3 million note has yet to be entered; see Hoge v. Kane I, 4 Haw. App. 246, 247, 663 P.2d 645, 647 (1983); and, thus, (3) the appeal of the May 10, 2000 and June 16, 2000 orders 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, October 2, 2000.