

NO. 23574

IN THE SUPREME COURT OF THE STATE OF HAWAII

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MARILYN SULLIVAN, Appellant-Appellant

vs.

AIG HAWAII INSURANCE COMPANY, a Hawai'i corporation, and  
WAYNE C. METCALF, III, Insurance Commissioner, Department  
of Commerce and Consumer Affairs, Appellees-Appellees

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 99-3313)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) judgment has not been entered on the circuit court's  
March 15, 2000 order determining the agency appeal, as required  
by Rules 58 and 72(k) of the Hawai'i Rules of Civil Procedure;  
and, thus, (2) the appeal of the June 15, 2000 attorney's fees  
award is premature and we lack jurisdiction. See Jenkins v.  
Cades Schutte Fleming & Wright, 76 Hawai'i 115, 869 P.2d 1334  
(1994). Therefore,

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

DATED: Honolulu, Hawai'i, November 3, 2000.