

NO. 23605

IN THE SUPREME COURT OF THE STATE OF HAWAII

BERNARD K. B. LUM and HESTER T. LUM, Movant-Appellees

vs.

LEE D. DONOHUE, Chief of Police,
City and County of Honolulu, Respondent-Appellant

and

DAI-TOKYO ROYAL INSURANCE COMPANY, INC., Intervenor-Appellee

APPEAL FROM THE FIRST CIRCUIT COURT
(S.P. NO. 00-1-0167)

ORDER DISMISSING APPEAL

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

Upon review of the statements supporting and contesting jurisdiction and the record, it appears that: (1) the May 9, 2000 order disposing of Special Proceeding 00-1-0167 has not been reduced to a separate judgment, as required by Rule 58 of the Hawai'i Rules of Civil Procedure; and, thus, (2) this appeal 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.