

NO. 24207

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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JAZ, INC., JOZAC, INC., ZACHARIAH VANDERSCHYFF  
and JOYCE HAVERKATE, Plaintiffs-Counterclaim  
Defendants-Appellants/Cross-Appellees

vs.

FIRST HAWAIIAN LEASING, INC.,  
Defendant-Counterclaimant-Appellee/Cross-Appellant

and

RICHARD FOLEY dba ENVIRONMENTAL FIRST, Defendant

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APPEAL FROM THE THIRD CIRCUIT COURT  
(CIV. NO. 98-160K)

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

Upon review of the record, it appears that: (1) the circuit court's April 2, 2001 judgment, the Honorable Ronald Ibarra, presiding, purports to be the final judgment in Civil No. 98-160K, but the judgment does not show finality as to all claims against all the parties inasmuch as it does not enter judgment on the claims and cross-claims against defendant Richard Foley, including the claim for which the uncertified default judgment was entered, as required by HRCP 58; see Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119-20, 869 P.2d 1334, 1339-39 (1994) (In a multiple claim, multiple party circuit court case, a judgment that purports to be the final judgment must, on its face, show finality as to all claims against all the parties.); and thus, (2) this appeal is premature and we lack

jurisdiction. Therefore,

IT IS HEREBY ORDERED that this appeal and cross-appeal are dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, July 23, 2001.