

NO. 24475

IN THE SUPREME COURT OF THE STATE OF HAWAII

---

FIRST HAWAIIAN BANK, Plaintiff

vs.

MARCO A. RADOMILE, in his individual capacity,  
Defendant/Crossclaim Defendant-Appellant;  
JAMES & CECILE, INC., Defendant/Crossclaimant-Appellee

and

COLONY SURF DEVELOPMENT CORPORATION; COLONY WEST, INC;  
CHARLES J. BARKHORN, JR., also known as CHARLES JOHN  
BARKHORN, JR., JOHN BARKHORN, and CHARLES JOHN BARKHORN;  
MARCO A. RADOMILE, as Trustee of the Charles J.  
Barkhorn III Trust dated August 3, 1994;  
MARIA JUAREZ MEDEIROS; MARIE Y. OKAMURA,<sup>1</sup> in her official  
capacity as Director of Taxation of the State of Hawaii;  
LIBERTY HOUSE, INC.; CHILD SUPPORT ENFORCEMENT  
AGENCY, STATE OF HAWAII; BANK OF HAWAII; TOUCHSTONE  
MANAGEMENT, INC.; RAINEE BARKHORN; STRAWBERRY CONNECTION  
OF HAWAII, INC.; JOHN DOES 2-20; JANE DOES 1-20; DOE  
PARTNERSHIPS 1-20; DOE CORPORATIONS 3-20; DOE ENTITIES 1-20;  
and DOE GOVERNMENTAL UNITS 1-20, Defendants

---

APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 95-3848)

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 November 29, 2000 judgment, the Honorable Gary W.  
B. Chang, presiding, which purports to be the final judgment on

---

<sup>1</sup> Pursuant to Hawaii Rules of Appellate Procedure Rule 43(c)(1), Marie Y. Okamura, the current Director of the Department of Taxation of the State of Hawaii, has been substituted for Ray K. Kamikawa, the Director at the time this case was decided by the first circuit court.

the cross-claims of James & Cecile, Inc., does not identify the cross-claims for which the judgment of \$163,509.20 is entered against the cross-claim defendants and does not enter judgment on the cross-claims that were resolved against James & Cecile, Inc. and on the cross-claims that were dismissed, 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 is not appealable unless the judgment identifies the claims for which the judgment is entered and on its face, shows finality as to all claims against all the parties. A statement that declares there are no other outstanding claims is not a judgment.); 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, November 30, 2001.