

NO. 24693

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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MOLOKAI ADVERTISER-NEWS, a sole proprietorship of George Peabody  
and George Peabody, Plaintiffs-Appellants,

vs.

EDIE ANDERSON, GERRY ANDERSON, and THE NEW REGIME PRESS, INC., a  
Hawai'i corporation dba The Dispatch, Defendants-Appellees

and

JOHN DOES 1-5, JANE DOES 1-5, DOE CORPORATIONS 1-5 and DOE  
GOVERNMENTAL ENTITIES 1-5, Defendants

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APPEAL FROM THE SECOND CIRCUIT COURT  
(CIV. NO. 97-0586)

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 October 22, 2001 judgment, the Honorable Artemio C. Baxa, presiding, purports to be the final judgment in Civil No. 97-0586, but the judgment does not enter judgment on the complaint by entering judgment in favor of and against the parties on the common law claim and by dismissing the statutory claim. See Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119, 869 P.2d 1334, 1338 (1994) (The separate judgment entered pursuant to HRCP 58 must enter judgment in favor of and against the parties on the claims resolved and must show finality as to all claims); 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, April 8, 2002.

