

NO. 25308

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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WILLIAM CHOY, ME & MA CORPORATION,  
Plaintiffs-Appellants/Cross-Appellees

vs.

WAILUA SHOPPING PLAZA, STANLEY TOKIKAWA,  
Defendants-Appellees/Cross-Appellants

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APPEAL FROM THE FIFTH CIRCUIT COURT  
(CIV. NO. 97-0007)

ORDER DISMISSING APPEAL AND CROSS-APPEAL

(By: Moon, C.J., Levinson, Nakayama, and Acoba, JJ.,  
and Circuit Judge Pollack, Assigned by Reason of Vacancy)

Upon review of the record, it appears the Honorable Clifford L. Nakea's August 6, 2002 judgment in the consolidated cases Civil Nos. 97-0007 and 01-1-0068 does not satisfy the requirements of Rule 58 of the Hawai'i Rules of Civil Procedure (HRCP). "An appeal may be taken from circuit court orders resolving claims against parties only after the orders have been reduced to a judgment and the judgment has been entered in favor of and against the appropriate parties pursuant to HRCP [Rule] 58[.]" Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119, 869 P.2d 1334, 1338 (1994).

[I]f a judgment purports to be the final judgment in a case involving multiple claims or multiple parties, the judgment (a) must specifically identify the party or parties for and against whom the judgment is entered, and (b) must (i) identify the claims for which it is entered, and (ii) dismiss any claims not specifically identified[.]

Id. (emphases added).

Although the consolidated cases involve multiple claims and multiple parties, the August 6, 2002 judgment does not specifically identify the claims for which judgment is entered.

Therefore, the August 6, 2002 judgment fails to satisfy the requirements for a final judgment under HRCF Rule 58 according to our holding in Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i at 119, 869 P.2d at 1338. Accordingly,

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

DATED: Honolulu, Hawai'i, January 14, 2003.