

*** NOT FOR PUBLICATION ***

NO. 25569

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

TAMI DAVIS, Plaintiff-Appellant

vs.

JON HARRELL, Defendant-Appellee

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 01-1-2826)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, and Nakayama, JJ.,
Intermediate Court of Appeals Associate Judge Watanabe,
in place of Acoba, J., unavailable,
and Circuit Judge Chang, assigned by reason of vacancy)

Upon review of the record, it appears that the circuit court's December 4, 2002 order disposing of Civil No. 01-1-2826, the Honorable Virginia Lea Crandall, presiding, has not been reduced to a separate judgment, as required by HRCP 58. See Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 869 P.2d 1334 (1994). Thus, 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 21, 2003.