

*** NOT FOR PUBLICATION ***

NO. 25622

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

WILLIAM SULLIVAN, as next friend for Reubyn W. Buentipo, Jr., a
minor, and Reubyn W. Buentipo, Sr., individually,
Plaintiffs-Appellees/Cross-Appellants

vs.

STATE OF HAWAI'I, Defendant-Appellant/Cross-Appellee

and

CITY AND COUNTY OF HONOLULU, Defendant-Appellee/Cross-Appellant

and

JOHN DOES 12-10, JANE DOES 1-10, DOE CORPORATIONS 1-10, and DOE
PARTNERSHIPS 1-10, Defendants

and

CITY AND COUNTY OF HONOLULU and STATE OF HAWAI'I,
Third-Party Plaintiffs

vs.

KIMBERLY PADA, Third-Party Defendant

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 97-4036)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, and Acoba, JJ.
and Circuit Judge Masuoka, assigned by reason of vacancy)

Upon review of the record, it appears that the orders
granting and denying summary judgment entered on January 10,
2003, January 24, 2003 and January 29, 2003 were not properly
certified for interlocutory appeal under HRS § 641-1(b) inasmuch
as the February 4, 2003 orders granting the parties' motions for
interlocutory appeal, the Honorable Virginia Lea Crandall

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presiding, did not set forth the circuit court's reasons for concluding that the interlocutory appeals will speedily terminate the litigation, as required by Mason v. Water Resources International, 67 Haw. 510, 512, 694 P.2d 388, 389 (1985) ("the trial court shall carefully consider the matter of whether it thinks an interlocutory appeal will more speedily determine the litigation and, if it so concludes, will set forth, in the order allowing the appeal, its reasons for that conclusion.").

Therefore,

IT IS HEREBY ORDERED that the appeals by the plaintiffs, by defendant State of Hawai'i and by defendant City and County of Honolulu are dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, May 23, 2003.