

*** NOT FOR PUBLICATION ***

NO. 25879

IN THE SUPREME COURT OF THE STATE OF HAWAII

ALTHIA VIDINHA, Plaintiff-Appellant

and

WARREN VIDINHA, CORY VIDINHA, KELLIE ANNE VIDINHA, JOEY VIDINHA,
BRANDON VIDINHA and BRITTANY VIDINHA, Plaintiffs

vs.

CLYDE T. MIYAKI, M.D., and SHARON LAWLER, M.D., Defendants-
Appellees

and

THE QUEEN'S MEDICAL CENTER, JOHN DOES 1-10, JANE DOES 1-10, DOE
CORPORATIONS 1-10, and DOE PARTNERSHIPS 1-10, Defendants

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 01-1-1477)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon review of the record, it appears that the June 5, 2003 judgment, the Honorable Eden Elizabeth Hifo, presiding, purports to be the final judgment in Civil No. 01-1-1477, but the judgment does not, on its face, show finality as to all of the parties' claims inasmuch as the judgment fails to state that the judgment in favor of defendant Clyde T. Miyaki and against plaintiff Althia Vidinha is a judgment on all of Vidinha's claims against Miyaki. See Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119-120, 869 P.2d 1334, 1338-39 (1994) (In a multiple claim or multiple party circuit court case, a judgment

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that purports to be the final judgment must identify the claims for which the judgment is entered and must, on its face, show finality as to all claims. A statement that declares 'there are no other outstanding claims' is not a judgment.). 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, October 2, 2003.