

*** NOT FOR PUBLICATION ***

NO. 25954

IN THE SUPREME COURT OF THE STATE OF HAWAII

SIONE TAUESE, Plaintiff-Appellant

vs.

STATE OF HAWAII, DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS;
RITZ-CARLTON KAPALUA; MARRIOTT CLAIMS SERVICES CORPORATION,
Defendants-Appellees

APPEAL FROM THE SECOND CIRCUIT COURT
(CIV. NO. 02-1-0414)

ORDER DISMISSING APPEAL

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

Upon review of the statements supporting and contesting jurisdiction and the record, it appears that the circuit court's July 14, 2003 order granting summary judgment in favor of the defendants on the plaintiff's claims for declaratory and injunctive relief 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, December 11, 2003.