

*** NOT FOR PUBLICATION ***

NO. 26127

IN THE SUPREME COURT OF THE STATE OF HAWAII

THE HAWAIIAN INSURANCE & GUARANTY COMPANY, LIMITED, a Hawaii corporation, as Subrogee of MARY LAURA KIMM, Plaintiff-Appellant

vs.

DORIS ANN McDONALD-WEBSTER, Defendant-Appellee

and

JOHN DOES 1-10, DOE CORPORATIONS 1-10, DOE ENTITIES 1-10,
and DOE GOVERNMENTAL ENTITIES 1-10, Defendants

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(CIV. NO. 02-0467)

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 district court's August 27, 2003 order does not determine all claims raised in Civil No. 02-0467PN and does not fully dispose of the district court action. The order is not an appealable final order or an appealable collateral order. Thus, this appeal is premature and we lack jurisdiction. See HRS § 641-1(a); Casumpang v. ILWU, 91 Hawai'i 425, 984 P.2d 1251 (1999). Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawaii, January 6, 2004.