

*** NOT FOR PUBLICATION ***

NO. 26198

IN THE SUPREME COURT OF THE STATE OF HAWAII

RICHARD G. ELSTNER, Plaintiff-Appellee

vs.

THERESE P. BARAQUIO, Defendant-Appellant

and

HARMONY PRODUCTIONS, ALBERT AINUU and DOE ENTITIES 1-20,
Defendants

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 01-1-0555)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that the judgment entered on November 3, 2003, the Honorable Victoria S. Marks, presiding, purports to be a certified final judgment on the claim for which summary judgment was granted on October 2, 2003. However, the November 3, 2003 judgment enters judgment on the claim "asserted in the motion for summary judgment" and does not identify the claim for which the judgment is entered, as required by Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119-120, 869 P.2d 1334, 1338-39 (1994) ("[I]f a judgment purports to be the final judgment in a case involving multiple claims or multiple parties, the judgment must specifically identify the party or parties for and against whom the judgment is entered and must identify the claims for which it is entered[.]"). Thus,

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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, July 9, 2004.