

*** NOT FOR PUBLICATION ***

NO. 26324

IN THE SUPREME COURT OF THE STATE OF HAWAII

HERMA AMONG ANDERSON, Plaintiff-Appellee

vs.

JOSEPHINE HELELANI PUAHI (RABAGO), Defendant-Appellant

KALAMA, HEIRS OF KALAMA, SOLOMONA KALAMA, Also known as S. KALAMA, HEIRS OF SOLOMONA KALAMA also known as S. KALAMA, MANESE KALAMA, also known as D.M. KALAMA, HEIRS OF MANESE KALAMA, also known as D.M. KALAMA, ESETERE, HEIRS OF ESETERE, KEKUKALA, HEIRS OF KEKUKALA, MAUI LAND & PINEAPPLE CO., STATE OF HAWAII, JESSICA KAILANI ROSS, JOHN DOES 1-50, JANE DOES 3-50, DOE PARTNERSHIPS 1-50, DOE CORPORATIONS 1-50, DOE ENTITIES 1-5-0, DOE GOVERNMENTAL UNITS 1-10, Defendants

APPEAL FROM THE SECOND CIRCUIT COURT
(CIV. NO. 02-1-0310)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that we do not have jurisdiction over Defendant-Appellant Josephine Helelani Puahi Rabago's (Appellant Rabago) appeal. An aggrieved party may appeal from circuit court orders resolving claims against parties only after the orders have been reduced to a separate judgment in favor of and against the appropriate parties pursuant to Rule 58 of the Hawai'i Rules of Civil Procedure (HRCPP). Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119, 869 P.2d 1334, 1338 (1994). The Circuit Court of the Second Circuit, State of Hawai'i, the Honorable Joseph E. Cardoza presiding, has not reduced the dispositive orders in this case to a separate

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judgment in favor of and against the appropriate parties pursuant to HRCP Rule 58. Therefore, Appellant Rabago's appeal is premature and we lack appellate jurisdiction. Accordingly,

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

DATED: Honolulu, Hawai'i, April 23, 2004.