

*** NOT FOR PUBLICATION ***

NO. 26730

IN THE SUPREME COURT OF THE STATE OF HAWAII

ESTATE OF YVONNE MARIE MATHISON, BY SPECIAL ADMINISTRATOR DAVID
KAAPU, MANUEL MARTINS, DOROTHY MARTINS, WAYNE ROBLEDO, JR., TINA
MARIE CAWAGAS,
Plaintiffs-Appellees

vs.

KENNETH WAYNE MATHISON,
Defendant-Appellant

and

DOES 1-5, DOE CORPORATIONS 1-5, DOE PARTNERSHIPS 1-5, DOE NON-
PROFIT ORGANIZATIONS 1-5 and DOE GOVERNMENTAL AGENCIES,
Defendants.

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

2005 JUN -8 AM 11:07

FILED

MICHAEL MATHISON,
Plaintiff-Appellee

vs.

KENNETH WAYNE MATHISON,
Defendant-Appellant

and

DOES 1-5, DOE CORPORATIONS 1-5, DOE PARTNERSHIPS 1-5, DOE NON-
PROFIT ORGANIZATIONS 1-5 and DOE GOVERNMENTAL AGENCIES,
Defendants.

APPEAL FROM THE THIRD CIRCUIT COURT
(CIV. NOS. 94-0554 and 95-0621)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that the claims
by the plaintiffs in consolidated Civil No. 94-0554 and Civil No.

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95-0621 were resolved by summary judgment and dismissal orders and by judgments awarding damages, but the orders and judgments were not reduced to a single judgment resolving the claims of all the plaintiffs in the consolidated cases. See HRCF 58; 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 in which all claims of all the parties have been resolved, an appeal may be taken after entry of a judgment that, on its face, resolves all claims of all the parties.). Absent entry of a judgment resolving the claims of all plaintiffs in consolidated Civil No. 94-0554 and Civil No. 95-0621, 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, June 8, 2005.



Steven H. Levinson

Fuusa A. Takayama



James E. Duffy, Jr.