

*** NOT FOR PUBLICATION ***

NO. 27183

IN THE SUPREME COURT OF THE STATE OF HAWAII

LEAH RICHMOND
CLERK, APPELLATE COURTS
STATE OF HAWAII

2005 JUL 29 AM 9:39

FILED

THOMAS TERANISHI, Plaintiff-Appellant,

vs.

MCP RESTAURANT & LOUNGE, INC., dba New Casino, a Hawai'i Corporation, Defendant-Appellee.

and

DOES 1-50, Defendants.

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 03-1-2134)

ORDER DISMISSING APPEAL
(By: Nakayama, J. for the court¹)

Upon review of the statements supporting and contesting jurisdiction and the record, it appears that final judgment has not been entered in Civil No. 03-1-2134. The February 24, 2005 order denying the motion for sanctions under HAR 28 is not a final order immediately appealable under the collateral order doctrine inasmuch as the order is effectively reviewable on appeal from a final judgment. Therefore,

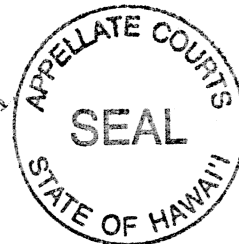
IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, July 29, 2005.

FOR THE COURT:

Dama A. Nakayama

Associate Justice



¹Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.