

*** NOT FOR PUBLICATION ***

NO. 27595

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

UNITY HOUSE, INCORPORATED, Plaintiff-Appellee

vs.

HEAVENLY ROAD PRODUCTIONS, INC. and MICHAEL LUCAS,
Defendants-Appellants

MIAMIHAWAII
CLERK OF APPELLATE COURTS
STATE OF HAWAII

2006 FEB 27 PM 1:27

FILED

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 98-5043)

ORDER DISMISSING APPEAL

(By: Nakayama, J., for the court¹)

Upon review of the record, it appears that the orders entered by the circuit court on July 8, 2005 and November 7, 2005 did not finally end the proceeding in Civil No. 98-5043 and are not appealable final orders under HRS § 641-1(a). See Familian Northwest v. Central Pacific Boiler & Piping, Ltd., 68 Haw. 368, 370, 714 P.2d 936, 937 (1986) ("Final order' means an order ending the proceedings, leaving nothing further to be accomplished. Consequently, an order is not final if the rights of a party involved remain undetermined or if the matter is retained for further action."). Thus, 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, February 27, 2006.

FOR THE COURT:

Pamela Nakayama
Associate Justice



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