

NO. 23840

IN THE SUPREME COURT OF THE STATE OF HAWAII

AAMES CAPITAL CORPORATION, Plaintiff-Appellee

vs.

CRISENCIO VALLAR VISORIA, VICTORIA PABO VISORIA,
and JOANN URUBIO VISORIA, Defendants-Appellants

and

PERFECT TITLE COMPANY and JOHN and MARY DOES 1-20, DOE
PARTNERSHIPS, CORPORATIONS, or OTHER ENTITIES 2-20, Defendants

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 97-1038)

ORDER DISMISSING APPEAL
(By: Moon, C.J., Levinson,
Nakayama, Ramil, and Acoba, JJ.)

Upon review of the record, it appears that: (1) the appeal of the September 27, 2000 order denying relief under HRCP 60(b) from the judgment of foreclosure is an appeal from the second part of the foreclosure case filed in Civil No. 97-1038; (2) the second part of the foreclosure case has not been finally completed inasmuch as a deficiency judgment has yet to be entered; see Hoge v. Kane I, 4 Haw. App. 246, 247, 663 P.2d 645, 647 (1983); and, thus, (3) 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, Hawaii, February 1, 2001.