

NO. 23440

IN THE SUPREME COURT OF THE STATE OF HAWAII

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AMERIQUEST MORTGAGE COMPANY, Plaintiff-Appellee

vs.

GARY KAMA, JOELYN J. KAMA, also known as JOELYN KAMA,  
JOHN D. KAUPIKO, also known as JOHN KAUPIKO, MAY M.  
KAUPIKO, also known as MAY KAUPIKO, Defendants-Appellants,

and

JOHN DOES 1-50, JANE DOES 1-50, DOE PARTNERSHIPS 1-50,  
DOE CORPORATIONS 1-50, DOE ENTITIES 1-50,  
and DOE GOVERNMENTAL UNITS 1-50, Defendants

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 99-1503)

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 April 12, 2000 order denying relief under HRCF 60(b) from the judgment of foreclosure is an appeal from the second part of the foreclosure case filed in Civil No. 99-1503; (2) the record on appeal, as filed on July 11, 1999, shows that all matters incidental to enforcement of the foreclosure judgment have not been finally decided and the second part of the foreclosure case has not been finally completed; 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, Hawai'i, November 3, 2000.