

NO. 23676

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

SAMSON KAHUMOKU, Plaintiff-Appellant

vs.

HALAWA DEPARTMENT OF PUBLIC SAFETY,
STATE OF HAWAI'I, Defendant-Appellee

and

HALAWA MEDICAL UNIT, CHRISTI L. KELIPIO, ART R. HERNANDEZ,
HALAWA MEDICAL SUPERIORS, JOHN DOES, and JANE DOES, Defendants

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 99-4201)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that: (1) the July 26, 2000 order granting the motion to dismiss the complaint has not been reduced to a separate judgment, as required by Rule 58 of the Hawai'i Rules of Civil Procedure; and, thus, (2) this appeal is premature and we lack jurisdiction. See Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 869 P.2d 1334 (1994). Therefore,

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

DATED: Honolulu, Hawai'i, November 14, 2000.