

NO. 23357

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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MR. AND MRS. DOE PARENTS NO. 1, Individually  
and as Guardians ad Litem for Their Minor Child,  
Doe Minor Girl No. 1; and MR. AND MRS. DOE PARENTS NO. 2,  
Individually and as Guardians ad Litem for Their Minor Child,  
Doe Minor Girl No. 2, Plaintiffs-Appellees/Cross-Appellants

vs.

STATE OF HAWAI'I, DEPARTMENT OF  
EDUCATION, Defendant-Appellant/Cross-Appellee,

and

LAWRENCE J. NORTON; MARIE VALERIE NORTON;  
JOHN DOES 1-10; JANE DOES 1-10; DOE  
CORPORATIONS 1-10; DOE PARTNERSHIPS 1-10;  
and DOE GOVERNMENTAL ENTITIES 1-10, Defendants

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 96-4906)

ORDER DISMISSING APPEAL AND CROSS-APPEAL

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

Upon review of the record, it appears that: (1) the judgment entered on March 23, 2000 is a judgment only on the claims against defendant State of Hawai'i, Department of Education; (2) the March 23, 2000 judgment is certified under HRCF 54(b), but certification under HRCF 54(b) is inappropriate inasmuch as all claims in Civil No. 96-4906 have been resolved; (3) a final judgment as to all claims in Civil No. 96-4906 has not been entered pursuant to HRCF 58; and, thus, (4) the appeal

of the March 23, 2000 judgment is premature. See Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 869 P.2d 1334 (1994). Therefore,

IT IS HEREBY ORDERED that this appeal and cross-appeal are dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, August 28, 2000.