

NO. 24104

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

DAVID YASUMURA and ALICE YASUMURA,
Plaintiffs-Appellants

vs.

KARL LILLIE and KJ & T CORPORATION,
a Hawai'i Corporation, Defendants-Appellees

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 95-3790)

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

Upon review of the record, it appears that: (1) the circuit court's February 7, 2001 order dismissing Civil No. 95-3790, the Honorable Sabrina S. McKenna, presiding, has not been reduced to a separate judgment, as required by HRCP 58; see Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 869 P.2d 1334 (1994); Price v. Obayashi, 81 Hawai'i 171, 176, 914 P.2d 1364, 1371 (1996); and thus, (2) 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, July 19, 2001.