

**Electronically Filed
Intermediate Court of Appeals
30082
28-JUN-2012
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IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

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RICK RALSTON, Plaintiff-Appellant,
v.
ERROL Y. W. YIM, D.D.S., Defendant-Appellee.
and
JOHN DOES 1-10; JANE DOES 1-10; DOE PARTNERSHIPS 1-10;
DOE CORPORATIONS 1-10; and DOE ENTITIES 1-10, Defendants.

NO. 30082

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 08-1-0934)

ORDER OF AMENDMENT

(By: Nakamura, C.J., Fujise and Ginoza, JJ.)

IT IS HEREBY ORDERED that the Opinion of the Court
filed May 31, 2012, is amended as follows:

In footnote 2 on page 4, at the end of the footnote,
the following sentence is added: "From our *sua sponte* review, we
determine that there is jurisdiction. See *Williams v. Aona*, 121
Hawaii 1, 8, 210 P.3d 501, 508 (2009)." so that footnote 2
reads:

² Dr. Yim asserted that the circuit court did not have
jurisdiction because Ralston's claim was not submitted for review
to the Medical Claims Conciliation Panel (MCCP) under Hawaii
Revised Statutes (HRS) § 671-1 (1993 Repl.) and § 671-12 (1993
Repl.). The circuit court denied Dr. Yim's motion in this regard

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and this ruling has not been appealed. From our *sua sponte* review, we determine that there is jurisdiction. See *Williams v. Aona*, 121 Hawai'i 1, 8, 210 P.3d 501, 508 (2009).

The Clerk of the Court is directed to take all necessary steps to notify the publishing agency of the amendments.

An Amended Opinion of the Court will be filed contemporaneously with this order.

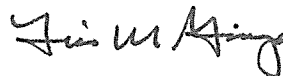
DATED: Honolulu, Hawaii, June 28, 2012.



Chief Judge



Associate Judge



Associate Judge