

NO. CAAP-14-0001289

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

GEORGE K. KAOPUIKI, Plaintiff-Appellant, v.  
CITY AND COUNTY OF HONOLULU; HONOLULU FIRE DEPARTMENT;  
DOE INDIVIDUALS 1-10; DOE ENTITIES 1-10, Defendants-Appellees

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 12-1-1259-05 VLC)

ORDER GRANTING DECEMBER 17, 2014 MOTION TO  
DISMISS APPEAL FOR LACK OF APPELLATE JURISDICTION  
(By: Foley, Presiding Judge, Leonard and Ginoza, JJ.)

Upon consideration of (1) Defendant-Appellee City and County of Honolulu's (Appellee City of Honolulu) December 17, 2014 motion to dismiss appellate court case number CAAP-14-0001289 for lack of appellate jurisdiction (Motion), (2) Plaintiff-Appellant George K. Kaopuiki's (Appellant Kaopuiki) December 19, 2014 statement of no opposition to Appellee City of Honolulu's Motion, and (3) the record, it appears that we lack appellate jurisdiction over Appellant Kaopuiki's appeal from the Honorable Virginia L. Crandall's

- October 13, 2014 interlocutory order granting Appellee City of Honolulu's motion for summary judgment on Appellant Kaopuiki's second amended complaint, and
- October 13, 2014 interlocutory order denying Appellant Kaopuiki's motion for leave to file a third-amended complaint,

because the circuit court has not yet entered a final judgment as to all claims, as Hawaii Revised Statutes § 641-1(a) (1993 & Supp. 2014) requires for an appeal under Rule 58 of the Hawai'i Rules of Civil Procedure (HRCP) and the holding in Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119, 869 P.2d 1334, 1338 (1994) ("An appeal may be taken . . . only after the orders have been reduced to a judgment and the judgment has been entered in favor of and against the appropriate parties pursuant to HRCP [Rule] 58[.]").

Therefore, IT IS HEREBY ORDERED that Appellee City of Honolulu's December 17, 2014 motion to dismiss appellate court case number CAAP-14-0001289 is granted, and appellate court case number CAAP-14-0001289 is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, February 9, 2015.

Presiding Judge

Associate Judge

Associate Judge