

NO. CAAP-19-0000512

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

SYLVIA CABRAL, Plaintiff-Appellant, v.
LAURIE HAYES, Defendant-Appellee

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT
WAILUKU DIVISION
(CASE NO. 2RC181001447)

ORDER DISMISSING APPEAL

(By: Chan, Presiding Judge, Hiraoka and Wadsworth, JJ.)

Upon review of (1) this appeal by Plaintiff-Appellant Sylvia Cabral (Cabral) (whose counsel of record, Benjamin M. Acob, has never formally withdrawn as her attorney) from the district court's April 2, 2019 order denying Cabral's motion to seal court records and consolidate eight cases in District Court Civil No. 2RC181001447, (2) the record, (3) the April 6, 2020 order temporarily remanding this case with instructions for the district court to file, within thirty days, either (a) a final judgment or (b) an explanation why doing so would be impossible or inappropriate, and (4) the district court clerk's May 15, 2020 declaration that the district court has not filed a final judgment in response to the April 6, 2020 remand order, it appears that we lack appellate jurisdiction over Cabral's appeal because the district court has not yet entered a written order or written judgment adjudicating Cabral's complaint in District Court Civil No. 2RC181001447, as Hawaii Revised Statutes § 641-

1(a) (2016) requires for an appeal under the holding in Casumpang v. ILWU, Local 142, 91 Hawai'i 425, 426-27, 984 P.2d 1251, 1252-53 (1999).

Therefore, IT IS HEREBY ORDERED that appellate court case number CAAP-19-0000512 is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, June 3, 2020.

/s/ Derrick H.M. Chan
Presiding Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge