

NO. CAAP-22-0000425

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

CJPJ HOLDINGS LLC, Plaintiff-Appellee, v.
U.S. PACIFIC CAPITAL CO., LTD.; DIAMOND HAT HONEY LLC,
Defendants-Appellees, and SHICHININ LLC,
Defendant/Cross-Claimant-Appellant, and
SPRINT CORPORATION, Defendant/Cross-Claim Defendant-Appellee, and
JOHN & JANE DOES 1-10; DOE CORPORATIONS AND ENTITIES 1-10,
Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 1CC141002485)

ORDER DISMISSING APPEAL FOR LACK OF APPELLATE JURISDICTION
(By: Ginoza, Chief Judge, Wadsworth and Chan, JJ.)

Upon consideration of the Circuit Court of the First Circuit's (**Circuit Court**) December 15, 2022 "Order Explaining Why it Is not Possible or Appropriate for this Court to Enter a Final Appealable Order or Judgment," and the record, it appears we lack appellate jurisdiction over Defendant/Cross-Claim Plaintiff-Appellant Shichinin LLC's (**Shichinin**) appeal from the Circuit Court's April 1, 2022 "Order Denying [Shichinin's] Motion to Vacate Arbitration Award and Ex Parte Motions for Issuance of Commission to Take Out-of-state Depositions Without Prejudice" and June 30, 2022 "Order Denying Shichinin, LLC's Motion to Confirm Arbitration Award, Filed April 4, 2022 Without Prejudice" entered in Civil No. 1CC141002485, because the Circuit Court has

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

not entered a final, appealable order or judgment under Hawaii Revised Statutes § 658A-28(a) (2016), and the Circuit Court has indicated it is not possible or appropriate for the Circuit Court to do so at this time.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed for lack of appellate jurisdiction.

IT IS HEREBY FURTHER ORDERED that all pending motions are dismissed as moot.

DATED: Honolulu, Hawai'i, January 11, 2023.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Derrick H.M. Chan
Associate Judge