

**Electronically Filed
Intermediate Court of Appeals
CAAP-22-0000745
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NO. CAAP-22-0000745

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

MASAKATSU KATSURA, individually and as Trustee of the
Masakatsu Katsura Revocable Trust dated August 23, 1994;
MIEKO KATSURA, individually and as Trustee of the
Mieko Katsura Revocable Trust dated August 23, 1994;
and YMM LLC, a Hawaii LLC, Plaintiffs-Appellees, v.
SCOTT KUROIWA, Defendant-Appellant, and
JOHN AND JANE DOES, PARTNERSHIPS, CORPORATIONS
AND ENTITIES 1-20, Defendants

APPEAL FROM THE DISTRICT COURT OF THE FIFTH CIRCUIT
LIHU'E DIVISION
(CIVIL NO. 5RC-22-0000464)

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

Upon review of the record, it appears that self-represented Defendant-Appellant Scott Kuroiwa appeals from the District Court of the Fifth Circuit, Lihu'e Division's November 9, 2022 "Order Transferring the Rent Trust Fund Established in Civil No. 5RC-181-000106 on March 3, 2022 and the Balance on Deposit to Civil No. 5DRC-22-0000464 and Order Establishing Rent Trust Fund in 5DRC-22-0000464" (**Transfer Order**).

We lack jurisdiction over the appeal, as the Transfer Order is not a final, appealable order, decree, or judgment. See Hawaii Revised Statutes (HRS) § 641-1(a) (2016); District Court Rules of Civil Procedure Rules 54(b), 58. Further, the Transfer Order is not independently appealable under the collateral-order doctrine or the Forgay doctrine. See Greer v. Baker, 137 Hawai'i

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249, 253, 369 P.3d 832, 836 (2016) (setting forth the requirements for appealability under the collateral-order doctrine and the Forgay doctrine).

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.

DATED: Honolulu, Hawai'i, March 7, 2023.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Karen T. Nakasone
Associate Judge

/s/ Derrick H.M. Chan
Associate Judge