

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-24-0000080

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

KEAKA MARTIN, Plaintiff-Appellant, v.
DEPARTMENT OF PUBLIC SAFETY, Defendant-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 1CCV-22-0000493)

ORDER DISMISSING APPEAL FOR LACK OF JURISDICTION

(By: Leonard, Acting Chief Judge, Hiraoka and Wadsworth, JJ.)

Upon review of the "Motion for Leave to Extend Time to File Jurisdictional Statement and Opening Brief on Pending Motion for Reconsideration" filed by self-represented Plaintiff-Appellant Keaka **Martin** on March 25, 2024, the papers in support, the memorandum in opposition filed by Defendant-Appellee Department of Public Safety (**DPS**) on March 28, 2024, and the record, it appears that:

1. Martin appeals from the circuit court's December 20, 2023 **Oral Ruling** granting in part and denying in part DPS's motion for summary judgment; and

2. The Oral Ruling, even if entered as a written order, would not be appealable because it does not resolve all claims as to all parties and the record does not show that the circuit court certified the Oral Ruling for appeal under Hawai'i Rules of Civil Procedure Rule 54(b), Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119, 869 P.2d 1334, 1338 (1994), it is not an appealable collateral order, see Greer v. Baker, 137 Hawai'i 249, 254, 369 P.3d 832, 837 (2016), it is not appealable under the Forgay doctrine, see Ciesla v. Reddish, 78

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Hawai'i 18, 20, 889 P.2d 702, 704 (1995), and it is not appealable under Hawaii Revised Statutes § 641-1(b).

Therefore, IT IS HEREBY ORDERED that this appeal is dismissed for lack of jurisdiction. All pending motions are dismissed.

DATED: Honolulu, Hawai'i, April 5, 2024.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge