

Electronically Filed
Intermediate Court of Appeals
CAAP-24-0000814
15-MAY-2025
08:45 AM
Dkt. 106 ODSLJ

NO. CAAP-24-0000814

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

RUDRA TAMM, TRUSTEE OF THE RUDRA TAMM REVOCABLE TRUST,
Plaintiff-Appellee,

v.

HEIRS OF MIKELA, aka MAKILA; HEIRS OF KOLOPO, aka KALOPA;
HEIRS OF KAUALUA and KIMO; HEIRS OF KEKAA; HEIRS OF KANEI,
aka KANEI NUI, aka ENOKA SAMUEL KANEI, SR.; HEIRS OF
JENNIE LEE TU, aka JENNIE KANEI NAMAKAEHA; HEIRS OF
GEORGIANA HAUMEA; HEIRS OF ARTHUR AKAOKANALOA KANEI;
HEIRS OF KIMOKEO KANEI, aka JAMES KIMOKEO KANEI;
HEIRS OF MARY KANEI KAULO, aka MARY KEKUALAULII KANE KUEHO,
aka MARY KEKOA KAULO, aka MARY KAULO aka MARY KANEI;
HEIRS OF HELENA KANEI PEOPLES aka HELEN ELENA PEOPLES;
HEIRS OF WILLIAMKAWELO, aka DAVID KANEI; HEIRS OF ESTHER
KALEONIPAKULANI NAEHU KANEI aka ESTHER KALEONIPAKULANI KANEI
DANA, aka ESTHER K. DANA; HEIRS OF KAPUA KANEI; HEIRS OF JOHN
KALUA KANEI; HEIRS OF DAVID KALUA KANEI; HEIRS OF ROBERT OLIOLI
KAUAKAHI; HEIRS OF ANNIE PUULEI RODRIGUES, aka ANNIE K. RODRIGUES
HEIRS OF JENNIE LEE TU, aka JENNIE KANEI NAMAKAEHA, aka JENNEI
KANEI; HEIRS OF KINI NAMAKAEHA; HEIRS OF R. PUUKI; HEIRS OF
KAUMEALANI KANEI; HEIRS OF GEOGIANI HAUMEA, aka KEOKIANA HAUMEA;
HEIRS OF SAMUEL HAUMEA, aka SAMUEL I. HAUMEA, SR; HEIRS OF DAVID
HAUMEA, JR.; HEIRS OF BENJAMIN HAUMEA; HEIRS OF JOSEPH HAUMEA,
aka JOSEPH I. HAUMEA; HEIRS OF MRS. HANNAH MEYERS,
aka JOAN H. MEYERS, aka MRS. HERMAN R. MEYERS; HEIRS OF MRS.
KALANIHOU VALMOJA; HEIRS OF ELIZABETH ELIZA VALMOJA;
aka ELIZABETH VALMOJA aka ELIZABETH H. VALMOJA; HEIRS OF MRS.
MARY ANN KEKUWAHAI PIMENTAL, aka MARY A. K. PIMENTAL;
HEIRS OF MRS. LILY MARTIN; HEIRS OF JOHN HAUMEA; HEIRS OF MARY
HAUMEA; HEIRS OF HAUMEA LEFITI; HEIRS OF ROSE A. ANDRADE;
HEIRS OF MAURICIA K. HARADA; HEIRS OF ELIZABETH VALMOJA,
aka ELIZABETH ELIZA VALMOJA, aka ELIZABETH H. VALMOJA;
HEIRS OF MARY ANN KEKUWAHAI PIMENTAL, aka MARY A.K. PIMENTAL
HEIRS OF ELEANOR KEAKAWAILANI TAI HOOK HAUMEA, aka ELEANOR TAI
HOOK HAUMEA, aka ELEANOR K.T.H. HAUMEA, aka ELEANOR HAUMEA;

ANNETTE K. HAUMEA, Personal Representative of the Estate of ELEANOR HAUMEA; HEIRS OF GRACE ATKINS, aka GRACE PEPE ATKINS; HEIRS OF KEAWE B. LEFITI; HEIRS OF MRS. GEORGIANA KAIHEWALU aka GEORGIANO CASTRO; HEIRS OF ANTHONY FRANCIS CASTRO; HEIRS OF ARTHUR AKAOKANALOA KANEI aka ARTHUR K. KANEI; HEIRS OF ARTHUR K. KANEI, JR. HEIRS OF MITSUKO KANEI; HEIRS OF GARY S. KANEI; HEIRS OF TERRY KANEI; HEIRS OF DEBBIE KANEI; HEIRS OF ELEANOR PAUAHINUIKALEHUA KANEI DOIRON aka ELEANOR P.K. DOIRON, aka ELEANOR PAUHI KANEI DOIRON; IRIS M. DOIRON; HEIRS OF GEORGETTE MAPUANA HARRISION, aka GEORGETTE MAPUANA SAFFERY; IRIS M. DOIRON; HEIRS OF ELIZABETH GIFFORD, aka ELIZABETH LEIMOMI GIFFORD; HEIRS OF EMERY JOSEPH GIFFORD; HEIRS OF JOHN DANA, aka JOHN LAWRENCE DANA; HEIRS OF KAPUA KANEI, aka KAPAU KALUA KANEI; HEIRS OF ROBERT OLEOLE KAUAKAHI; HEIRS OF ANNIE BORABORA, aka ANNEI K. RODRIQUES, aka ANNIE PUULEI KANEI; HEIRS OF GLADIOLA KANEI; HEIRS OF DAVID KANEI, SR.; HEIRS OF LUCY HIRONAKA; HEIRS OF MARTHA CALDEIRA; HEIRS OF VICTORIA EFF; HEIRS OF LOUISE MORALES; HEIRS OF MILTON KANEI; HEIRS OF WAYNE KANEI; HEIRS OF MELANIE KANEI HODGES; HEIRS OF CHRISTINE KANEI FUENTES; HEIRS OF DARLENE KANEI aka DARLENE KEHAULANI KANEI, aka DARLENE K. MENDES, Aka DARLENE KEHAULANI KANEI-MENDES; HEIRS OF KATHLEEN CALDEIRA; HEIRS OF JUDY CALDEIRA; HEIRS OF EDWIN CALDEIRA, JR.; HEIRS OF KAREN CALDEIRA; HEIRS OF LAWRENCE KALUE KANEI; HEIRS OF GLADIOLA KEALOHA CAMPBELL; HEIRS OF DAVID KALUA KANEI, JR.; HEIRS OF CHARLES KALUA KANEI, aka CHARLES KANEI; HEIRS OF LUCY MAKAOPIOPIO HIRONAKA; HEIRS OF MARTHA KEALA CALDEIRA; HEIRS OF VICTORIA LEILANI EFF, aka VICTORIA EFF; HEIRS OF LOUISE ULULANI MORALES, aka LOUISE MORALES; HEIRS OF MILTON KANEI; aka MILTON KALUA KANEI; HEIRS OF WAYNE KALUAWAIPUKUI KANEI, aka WAYNE KANEI; HEIRS OF ELIZABETH CALEIRA, aka ELIZABETH L. CALEIRA; HEIRS OF MELANIE MEHEALANI HODGES, aka MELANIE KANEI HODGES; HEIRS OF CHRISTINE NOELANI FUENTES, aka CHRISTINE NOELANI WONG; HEIRS OF DARLENE KEHAULANI KANEI aka DARLENE KANEI; HEIRS OF JEANETTE LEILANI KAMAKA; HEIRS OF PHILLIP PUUWEHIWEHI CAMPBELL; HEIRS OF DERECK HAKALANI CAMPBELL; HEIRS OF DELPHINE POHAIOKALANI WAIKIKI; HEIRS OF PATRICK HENRY CAMPBELL; HEIRS OF VERNON KEALOHA CAMPBELL; HEIRS OF LAVERNE MEHEALANI PAUOLE; HEIRS OF KATHLEEN HAUNANI CALDEIRA; HEIRS OF KAREN NALANI CALDEIRA SINGSON; HEIRS OF EDWIN MARQUES CALDEIRA JR.; HEIRS OF EDWIN MARQUES CALDEIRA SR.; HEIRS OF JESSIE MARQUES CALDEIRA MACAHELEG; HEIRS OF JUDY LEINAALA CALDEIRA, aka JUDY COOPER; HEIRS OF SANDRA LEE GRIGG, aka SANDRA L. GRIGG; OFFICE OF HAWAIIAN AFFAIRS; DEPARTMENT OF TAXATION, HAWAII; DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, HAWAII; USE DEPT OF TREASURY INTERNAL REVENUE SERVICE, Defendants-Appellees,
and
DOE DEFENDANTS 1 - 100, Heirs or assigns of the above and all other persons unknown claiming any right,

title, estate lien or interest in the real property
described herein adverse to Plaintiffs ownership,
and TO ALL WHOM IT MAY CONCERN, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT
(CASE NO. 5CCV-23-0000091)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) On April 1, 2025, the court entered an Order for Temporary Remand instructing the Circuit Court to enter a final, appealable judgment under Hawai'i Rules of Civil Procedure (**HRC**P) Rule 58, or provide an explanation as to why it is not possible or appropriate to do so; and

(2) On April 24, 2025, the Circuit Court entered a Notice of Pending Motions responding to the Order for Temporary Remand, stating there were pending motions before it which must be resolved or ruled upon before the case is ripe for appellate review.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed for lack of jurisdiction. Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119-20, 869 P.2d 1334, 1338-39 (1994).

IT IS FURTHER ORDERED that all pending motions are dismissed.

DATED: Honolulu, Hawai'i, May 15, 2025.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge