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Intermediate Court of Appeals
CAAP-24-0000495
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NO. CAAP-24-0000495

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

SAMUEL CARTER, Plaintiff-Appellant,
v.
HONOLULU POLICE DEPARTMENT CITY & COUNTY OF HONOLULU;
CHIEF OF POLICE; WINSTON HALE; JUSTIN GONSALVES;
JORDAN REGO; KENRIC PAI; and FLORAND BLANCO,
Defendants-Appellees.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 1CCV-23-0000776)

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

Upon review of the record, it appears that:

(1) On September 10, 2025, the court entered an Order for Temporary Remand instructing the Circuit Court of the First Circuit to enter a final, appealable judgment under Hawai'i Rules of Civil Procedure (HRCPP) Rule 58, or provide an explanation as to why it is not possible or appropriate to do so.

(2) On October 20, 2025, the Circuit Court entered a "Court's Explanation Pursuant to the Order for Temporary Remand

in CAAP-24-0000495," stating in part "it is inappropriate to enter Final Judgment against Plaintiff at this time" because the Circuit Court "dismissed the case without prejudice based on lack of service pursuant to the Rules of the Circuit Courts of the State of Hawaii Rule 28" and the "dismissal was not based on the merits of the case."

(3) The court lacks appellate jurisdiction because the record does not contain an appealable judgment.

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

DATED: Honolulu, Hawai'i, October 27, 2025.

/s/ Karen T. Nakasone
Chief Judge

/s/ Sonja M.P. McCullen
Associate Judge

/s/ Kimberly T. Guidry
Associate Judge