

**Electronically Filed
Intermediate Court of Appeals
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Dkt. 62 ODSLJ**

NO. CAAP-26-0000012

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

DAVIS PRICE, Plaintiff-Appellant,
v.
SECURITAS SECURITY SERVICES USA, INC., POLYNESIA KINGDOM OF
ATOOI, INC., SYLVIA HUSSEY, INDIVIDUALLY, LAWRENCE DABALUZ,
INDIVIDUALLY, RHEECE KAHAHAWAI, INDIVIDUALLY, JORDAN FALETOGO,
INDIVIDUALLY, SADHU BOTT, INDIVIDUALLY, ENE FALETOGO,
INDIVIDUALLY, Defendants-Appellees,
and
DOE DEFENDANTS 1-10, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CASE NO. 1CCV-21-0000060)

ORDER DISMISSING APPEAL
(By: Nakasone, Chief Judge, Wadsworth and Gluck, JJ.)

Upon review of the record, it appears that self-represented Plaintiff-Appellant Davis Price appeals from the November 19, 2025 Order Granting Defendant Securitas Security Services USA, Inc.'s Motion to Dismiss for Lack of Prosecution, Lack of Service, and Abandonment of Claims [Dkt. 213], entered by the Circuit Court of the First Circuit (**Circuit Court**). On

April 24, 2026, the court temporarily remanded the appeal to the Circuit Court in accordance with Hawai'i Revised Statutes (**HRS**) § 602-57(3) (2016) and Waikiki v. Ho'omaka Village Association of Apartment Owners, 140 Hawai'i 197, 398 P.3d 786 (2017), to enter an amended order that either dismisses all claims against all Defendants or states which claims remain pending against which Defendants, and if it intends to dismiss all claims against all Defendants, to enter a final, appealable judgment. See HRS § 641-1(a) (2016); Hawai'i Rules of Civil Procedure (**HRCP**) Rule 58; Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119, 869 P.2d 1334, 1338 (1994).

On April 27, 2026, the Circuit Court entered an Amended Order dismissing all claims against Defendant-Appellee Securitas Security Services USA, Inc., and stating that all claims against the other Defendants remain. The Circuit Court has not reduced the Amended Order to an HRCP Rule 54(b) judgment or indicated it intends to do so. The Amended Order is not independently appealable under the collateral-order or Forgay¹ doctrines, nor has the Circuit Court granted leave for interlocutory appeal under HRS § 641-1(b) (2016). See Greer v. Baker, 137 Hawai'i 249, 253, 369 P.3d 832, 836 (2016) (setting forth the requirements for appealability under the collateral-

¹ Forgay v. Conrad, 47 U.S. 201 (1848).

order doctrine² and the Forgay doctrine); HRS § 641-1(b) (specifying requirements for leave to file interlocutory appeal).

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

DATED: Honolulu, Hawai'i, September 24, 2026.

/s/ Karen T. Nakasone
Chief Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Daniel M. Gluck
Associate Judge

² The Amended Order is not an appealable, collateral order because it does not resolve an important issue completely separate from the merits of the action, nor is it effectively unreviewable on appeal from a final judgment. Greer, 137 Hawai'i at 253, 369 P.3d at 836.