

*Dilubech Clan v. Ngeremlengui State Gov't.*, 6 ROP Intrm. 196 (1997)

**DILUBECH CLAN,  
Appellant,**

**v.**

**NGEREMLENGUI STATE GOVERNMENT, et al.,  
Appellees.**

CIVIL APPEAL NO. 5-97  
Civil Action No. 500-93

Supreme Court, Appellate Division  
Republic of Palau

Order

Decided: August 4, 1997

PER CURIAM:

Upon review of the above-entitled appeal, the Court has become aware that the summary judgment at issue in this appeal ¶197 is only partial in nature; the trial judge ordered a trial on the issue of damages, but it has yet to be held. “An order which does not finally settle the issues on trial generally is not appealable, although it is open to review in connection with an appeal of the final judgment.” *In the Matter of the Estate of Kaleb Udui*, 3 ROP Intrm. 130, 131 (1992). While such partial judgments may be appealed if certified as appealable by the trial court pursuant to Rule 54(b), ROP R. Civ. Pro., *Ngiradilubech v. Nabeyama*, 5 ROP Intrm. 117, 119 (1995), there was no such certification in this instance. Accordingly, the Court finds that the Appellate Division is without jurisdiction to hear this appeal and hereby orders that it be DISMISSED.<sup>1</sup>

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<sup>1</sup> The Court acknowledges the diligent efforts made by the parties in pursuing this appeal. The Court will retain all briefs and papers filed in this appeal so that the parties may refer to or incorporate them in later filings if they so wish.