

In re Ngirausui, 6 ROP Intrm. 216 (1997)
**IN THE MATTER OF ESTATE OF
GREGORIO NGIRAUSUI,
Decedent.**

CIVIL APPEAL NO. 16-97
Civil Action No. 400-94

Supreme Court, Appellate Division
Republic of Palau

Order dismissing appeal
Decided: August 18, 1997

BEFORE: ARTHUR NGIRAKLSONG, Chief Justice; JEFFREY L. BEATTIE, Associate Justice; LARRY W. MILLER, Associate Justice.

PER CURIAM:

This matter comes before the Court upon the Court's *sua* **1217** *sponte* review of the above-captioned appeal. Appellant Erica Ngirausui filed a Notice of Appeal appealing from the Order of the trial court entered on March 28, 1997, which appointed a permanent executrix of the estate and admitted the will to probate. An order of this type is not generally appealable, because it does not finally determine the dispute between the parties. *In the Matter of Kaleb Udui*, 3 ROP Intrm. 130, 132 (1992). In this case, as in *Udui*, the dispute will not be resolved until the trial court distributes the estate's assets. *Id.* Appellant may, of course, raise the issues decided in the trial court's March 28, 1997 Order on appeal from any final judgment issued in this matter.¹

Accordingly, appellant's appeal is DISMISSED without prejudice.

¹ In addition, appellant will be able to use the transcript of the proceedings below, which appellant has already paid for in connection with this appeal, in any appeal from the final judgment entered in this case.