

Ngatpang State Gov't v. Ngiradilubech, 8 ROP Intrm. 310 (2001)

**NGATPANG STATE GOVERNMENT,
Appellant,**

v.

**ABRAHAM NGIRADILUBECH, DERBEI MARTIN,
CONSTANTINO NGIRAKED, ANTONION NGIRNGETRANG, JR.,
DILORES M. OITERONG, ILEBRANG WATSON,
ECHOL HOSEI, FELIX MAIDSEL, FRANCISCO RULUKED,
GILBERT U. DEMEI, HELLEN NGIRASOB, IDUB RENGULBAI,
IMECHEI RENGUUL, ITONG UMEDIP, JENKINS EMESIOCHEL,
JERRY NABEYAMA, MERS ARURANG, NGIRAIBAKES ARURANG,
HELACIO ARURANG, NGIRATUMERANG UCHELLAS,
OYAOL RENGULBAI, SILVERIO RENGULBAI,
SAULUAI M. SALVADOR, SEBASTIAN RULUKED,
SURANGEL WHIPPS, SURANGEL WHIPPS, JR.,
TMAK TIMULCH, VALENTINO EMESIOCHEL,
Appellees.**

CIVIL APPEAL NO. 01-07
LC/L 00-530 to LC/L 00-564

Supreme Court, Appellate Division
Republic of Palau

Decided: April 17, 2001

Counsel for Appellant: Moses Uludong

Counsel for Appellees: Roman Bedor, Raynold Oilouch

BEFORE: LARRY W. MILLER, Associate Justice; R. BARRIE MICHELSEN, Associate Justice; KATHLEEN M. SALII, Associate Justice.

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PER CURIAM:

Appellant filed a notice of appeal from Orders of the Land Court dated January 18 and February 13, 2001. A review of those Orders indicates that while they dismissed Ngatpang State as a party to the case on the basis of our prior decision in *Ngatpang State v. Amboi*, 7 ROP Intrm. 12, 15 (1998), they did not resolve the ownership of any of the lands at issue, for which hearings have not yet been held. Appellant was accordingly ordered to show cause why its appeal should not be dismissed as premature.

We have previously noted that 35 PNC § 1312 “permits appeals directly to the Appellate Division from Land Court determinations of ownership, but not from other Land Court orders or

Ngatpang State Gov't v. Ngiradilubech, 8 ROP Intrm. 310 (2001) decisions.” *Uchel v. Deluus*, 8 ROP Intrm. 120, 121 (2000). Appellant having offered no alternative basis for jurisdiction in this case, and given the general understanding that “the proper time to consider appeals is after final judgment,” *ROP v. Black Micro Corp.*, 7 ROP Intrm. 46, 47 (1998), we believe that this appeal should be dismissed. The dismissal is, of course, without prejudice; the Land Court should ensure that, when the hearings on these lands are completed, Ngatpang State is provided with all of the determinations of ownerships that have been issued from which it may then appeal in the ordinary course.