

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 28191

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC.,  
as Nominee for First Magnus Financial Corporation, et al.,  
Plaintiff-Appellee,

v.

MICHAEL DAVID GODDARD, et al., Defendants-Appel  
and  
MATHILDA NOELANI BATALONA MASON, Appellant

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT  
(CIVIL NO. 05-1-0404)

NORMA T. YARA  
CLERK, APPELLATE COURTS  
STATE OF HAWAI'I

2007 MAR 22 PM 3:03

FILED

ORDER DISMISSING APPEAL

(By: Burns, C.J., Lim and Foley, JJ.)

Upon review of the record, it appears that: (1) on January 19, 2007, the appellate clerk informed Appellant Mathilda Noelani Batalona Mason that the record on appeal cannot be filed without payment of the filing fee pursuant to Rule 3(f) of the Hawai'i Rules of Appellate Procedure (HRAP) or an executed motion to proceed in forma pauperis pursuant to HRAP Rule 24 and that the matter would be called to the attention of the court for such action as the court deemed proper pursuant to HRAP Rule 11(c)(2), including dismissal of the appeal; (2) Appellant failed to pay the filing fee or submit a motion to proceed in forma pauperis. Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, March 22, 2007.

*James S. Burns*  
Chief Judge

*[Signature]*  
Associate Judge

*James R. Foley*  
Associate Judge