

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 28402

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

DUNCAN LUM MORTGAGE SERVICES, LLC,
a Hawai'i limited liability corporation, Plaintiff-Appellant

v.

GAIL KEAO, aka GAIL HASHIMOTO, Defendant-Appellee.

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(CIV. NO. 1RC06-1-2654)

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULE 30
(By: Recktenwald, C.J., Watanabe and Nakamura, JJ.)

Upon review of the record, it appears that:

- (1) Plaintiff-Appellant Duncan Lum Mortgage Services filed a notice of appeal on February 2, 2007; (2) on March 28, 2007, the case was assigned to the appellate conference program; (3) on May 16, 2007, the mediator's report was filed indicating the parties reached a tentative settlement; (4) the parties had thirty days to submit a dismissal to the court appealed from, but they did not do so, and the case was returned to the appellate docket; (5) on November 19, 2007, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on November 29, 2007 and the opening brief was due on December 29, 2007; (6) Appellant did not file the jurisdictional statement or the opening brief; (7) on January 18, 2008, the appellate clerk informed Appellant that:

K. HAMAKAHI
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

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(a) the time to file the statement of jurisdiction and the opening brief expired; (b) the matter would be brought to the attention of the court on January 25, 2008 for such action as the court deems proper; and (c) the appeal may be dismissed pursuant to HRAP Rule 30; and (8) Appellant did not file the statement of jurisdiction and the opening brief or seek relief from default. Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed pursuant to HRAP Rule 30.

DATED: Honolulu, Hawai'i, February 12, 2008.

Mani A. Aumua
Chief Judge

Corinne K. A. Watanebe
Associate Judge

Craig W. Nakamura
Associate Judge