

*** NOT FOR PUBLICATION ***

NO. 27748

IN THE SUPREME COURT OF THE STATE OF HAWAII

U.S. BANK NATIONAL ASSOCIATION, fka FIRST BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR NEW CENTURY HOME EQUITY LOAN TRUST, SERIES 1997-NC6, Plaintiff-Appellee

vs.

EDDY J. MASCITTO, Defendant-Appellant

and

JOHN DOES 1-10; JANE DOES 1-10; DOE PARTNERSHIPS 1-10; DOE CORPORATIONS 1-10; DOE ENTITIES 1-10 and DOE GOVERNMENTAL UNITS 1-10, Defendants

C.J. RIMANDO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2006 JUN 15 AM 9:13

FILED

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 03-1-0946)

ORDER DISMISSING APPEAL

(By: Nakayama, J., for the court¹)

Upon review of the record, it appears that this court informed Appellant by letter dated May 26, 2006, that the time for filing the statement of jurisdiction expired on April 14, 2006, and the time for filling the opening brief expired on May 14, 2006, and that, pursuant to Rule 30 of the Hawaii Rules of Appellate Procedure, the matter would be called to the attention of the court for such action as the court deemed proper including dismissal of the appeal. Appellant having failed to file the statement of jurisdiction and the opening brief,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, June 15, 2006.

FOR THE COURT:

Pamela A. Nakayama
Associate Justice



¹Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.