

NO. CAAP-11-0000621

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

BORA BORA LAND LLC, et al., Plaintiffs-Appellees, v.
GINA PAONESSA, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(CASE NOS. 1RC11-1-3526 and 1RC09-1-7453)

ORDER DISMISSING APPEAL PURSUANT TO NON-PAYMENT OF FILING FEES
(By: Nakamura, C.J., Foley and Reifurth, JJ.)

Upon review of the record, it appears that: (1) on August 22, 2011, Defendant-Appellant Gina Paonessa (Appellant) filed a notice of appeal, but she did not pay the filing fee or obtain leave to proceed in forma pauperis on appeal; (2) on November 15, 2011, the appellate clerk informed Appellant that: (a) she did not pay the filing fee upon the submission of the notice of appeal or move to proceed in forma pauperis; (b) she must submit the amount of \$245.00 by November 25, 2011; and

(c) that failure to pay the fee will be brought to the attention of the court for such action as the court deems appropriate, including dismissal of the appeal; and (3) thereafter, Appellant did not pay the filing fee or otherwise respond to the default notice. Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawaii, December 28, 2011.

Chief Judge

Associate Judge

Associate Judge