

NO. CAAP-12-0000374

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

EDMUND C. OLSON, Trustee of the Edmund C. Olson
Trust No. 2, u/a dated August 21, 1985, Plaintiff-Appellee,

v.

ABEL LUI and HAN KAMAKANI PHUA,
Defendants-Appellants

and

SHELLEY STEPHENS MAHI and DAVID SCHLESINGER,
Defendants-Appellees

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT,
KA'U DIVISION
(CIVIL NO. 3RC11-1-195K)

ORDER DISMISSING APPEAL PURSUANT HRAP RULE 30
(By: Foley, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon review of the records, it appears that:

(1) on April 5, 2012, Defendants-Appellants Abel Lui and Han Kamakani Phua (Appellants) filed a notice of appeal; (2) on June 4, 2012, the record on appeal was filed and the appellate clerk informed Appellants that the jurisdictional statement was due on June 14, 2012 and the opening brief was due on July 16, 2012; (3) on October 19, 2012, Appellants were informed that the

time to file the jurisdictional statement expired on June 14, 2012 and the time to file the opening brief expired on July 16, 2012, that this court may take such action as it deemed proper, including dismissal of the appeal, and that relief from default should be made by motion; and (4) no jurisdictional statement was filed, no opening brief was filed, and no motion for relief from default was filed.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed pursuant to Hawai'i Rules of Appellate Procedure Rule 30.

DATED: Honolulu, Hawai'i, December 31, 2012.

Presiding Judge

Associate Judge

Associate Judge