

NO. CAAP-11-0000836

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

LIVIA M. SCOTTO, Petitioner-Appellant,
v.
THE CORPORATION TRUST, et al.,
Respondents-Appellants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 03-1-0713)

ORDER DISMISSING APPEAL

(By: Nakamura, C.J., Fujise and Reifurth, JJ.)

Upon review of the record, it appears that: (1) on November 15, 2011, Petitioner-Appellant Livia M. Scotto (Scotto) filed an "Ex Parte Motion to Waive Filing Fees and Surcharges Under Hawai'i Revised Statutes Chapter 607"; (2) on December 30, 2011, this court denied the motion, ordered Scotto to pay the filing fee for the appeal within ten days from the date of the order, and stated that failure to pay the filing fee would result in dismissal of the appeal; (3) on January 9, 2012, this court denied Scotto's "Motion to Reconsider the December 30, 2011 Order Denying Petitioner Appellant's Motion to Waive Filing Fees and Surcharges Under Hawaii Revised Statutes Chapter 607"; (4) Scotto has not paid the filing fee; and (5) Hawai'i Rules of Appellate Procedure (HRAP) Rule 24(c) provides that "[f]ailure of the unsuccessful movant [to proceed in forma pauperis] to pay the unpaid filing fees . . . is ground for such action as the appellate court having jurisdiction over the appeal deems appropriate, and may include dismissal of the appeal."

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed pursuant to HRAP Rule 24.

DATED: Honolulu, Hawai'i, July 27, 2012.

Chief Judge

Associate Judge

Associate Judge