

NO. CAAP-11-0000499

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

FINANCE FACTORS, LIMITED, a Hawaii corporation,
Plaintiff-Appellee,
v.
JOAN BIHN, Defendant-Appellant,
and
DEPARTMENT OF TAXATION, STATE OF HAWAI'I
JOHN DOES 1-50 JANE DOES 1-50 DOE ENTITIES 1-50, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 10-1-0211(2))

ORDER DISMISSING APPEAL

(By: Foley, Presiding Judge, Fujise and Reifurth, JJ.)

Upon review of the record, it appears that Defendant-Appellant Joan Margaret Bihn (Appellant), proceeding pro se, filed a notice of appeal on June 27, 2011. The record on appeal was not filed. On March 2, 2012, the appellate clerk notified Appellant that the record on appeal was in default. The notice stated as follows:

You filed a notice of appeal in the above entitled matter on 27-Jun-2011. On 14-Sep-2011, the plaintiff-appellee notified this court that there was a notice of entry of order granting relief from automatic stay for the bankruptcy proceeding. Therefore, pursuant to HRAP [Rule] 54(a), the time for docketing the record on appeal expired on 14-Nov-2011.

This is to inform you that filing and docketing fees in the amount of \$275.00 have not been paid. The record cannot be prepared and filed without full payment of all fees or an order allowing the appellant to proceed in forma pauperis. See Hawai'i Rules of Appellate Procedure (HRAP) Rule 24. Pursuant to HRAP Rule 11(c)(2), we will notify the appellate court of the matter on 12-Mar-2012 for such action as the appellate court deems proper and which may include dismissal of the appeal.

You may request relief from this default by submitting a motion to the court. See HRAP Rules 26 and 27.

Appellant did not seek relief from default. Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, June 8, 2012.

Presiding Judge

Associate Judge

Associate Judge