

NO. CAAP-11-0001044

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

US BANK, NA, Plaintiff-Appellee, and  
JENNIFER ERIN PELAYO, Defendant-Appellant, v.  
KEVIN REGATCHO NAKANO, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT  
(CASE NO. 3RC11-1-130)

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULE 30  
(By: Foley, Presiding Judge, Fujise and Leonard, JJ.)

Upon review of the record, it appears that:

(1) on December 9, 2011, Defendant-Appellant Kevin Regatcho Nakano (Appellant) filed a notice of appeal; (2) on January 31, 2012, the appellate clerk filed the record on appeal and informed Appellant that the jurisdictional statement was due on February 10, 2012 and the opening was due on March 12, 2012; (3) Appellant did not file either document; (4) on March 28, 2012, the appellate clerk informed Appellant that: (a) the time

to file the jurisdictional statement and the opening brief expired; (b) the matter would be called to the attention of the court on April 7, 2012 for such action as the court deems proper; and (c) the appeal may be dismissed pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 30; and (5) Appellant did not file the jurisdictional statement and the opening brief or seek relief from default.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed pursuant to HRAP Rule 30.

DATED: Honolulu, Hawai'i, May 24, 2012.

Presiding Judge

Associate Judge

Associate Judge