

NO. CAAP-11-0000710

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

HAWAIIUSA FEDERAL CREDIT UNION, Plaintiff-Appellee,  
v.  
JONNAVEN JO MONALIM and MISTY MARIE MONALIM,  
Defendants-Appellants,  
and  
ASSOCIATION OF APARTMENT OWNERS OF BEACH VILLAS AT KO OLINA, BY  
ITS BOARD OF DIRECTORS; KO OLINA COMMUNITY ASSOCIATION, INC. A  
HAWAII NONPROFIT CORPORATION, Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(Civil No. 10-1-1388)

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

Upon review of the record, it appears that:

(1) on September 28, 2011, Defendants-Appellants Jonnavan Jo Monalim and Misty Marie Monalim (Appellants) filed a notice of appeal; (2) on November 21, 2011, the record on appeal was filed and the appellate clerk informed Appellants that the opening brief was due on January 3, 2012; (3) the due date for the opening brief was extended to February 2, 2012, after Appellants received a 30-day extension, pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 29(a); (4) the due date for the

opening brief was extended to February 9, 2012 upon Appellants' request; (5) the due date for the opening brief was further extended to February 16, 2012 upon Appellants' request; (6) on February 16, 2012, Appellants filed a Notice of Dismissal of Appeal in which they stated they "hereby serve notice that they are in the process of circulating a stipulation for dismissal of this Appeal, to be filed with the Court when fully executed"; (7) on August 20, 2012, Appellants were informed that the time to file the opening brief expired on February 16, 2012, that the matter would be brought to the attention of the court on August 30, 2012, that the 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 (8) no opening brief was filed, no motion for relief from default of the opening brief was filed, and no stipulation to dismiss the appeal was filed.

Therefore,

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

DATED: Honolulu, Hawai'i, September 19, 2012.

Presiding Judge

Associate Judge

Associate Judge