

NO. CAAP-13-0002005

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

PALAMA HOLDINGS, LLC, a Delaware limited liability company,
Plaintiff-Appellee,
v.
BOSTON'S NORTH END PIZZA BAKERY, INC., a Hawai'i corporation,
MICHAEL BIANCHI, Defendants-Appellants,
and
THOMAS F. ROSSI, Defendant-Appellee,
and
JOHN DOES 1-10, DOE PARTNERSHIPS 1-10, DOE CORPORATIONS 1-10,
DOE ENTITIES 1-10, DOE GOVERNMENTAL UNITS 1-10, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 12-1-2637-10)

ORDER

(1) GRANTING THE OCTOBER 10, 2013
MOTION TO DISMISS APPEAL,

(2) DENIED AS MOOT THE SEPTEMBER 30, 2013
REQUEST FOR EXTENSION OF TIME TO FILE CIVIL APPEALS DOCKETING
STATEMENT BASED ON NEED FOR CLARIFICATION OF REPRESENTATION,

AND

(3) NO FURTHER ACTION WILL BE TAKEN
ON THE SEPTEMBER 19, 2013 ORDER TO SHOW CAUSE
(By: Nakamura, C.J., Leonard and Reifurth, JJ.)

Upon consideration of attorney Anthony P. Locricchio's
(Locricchio) September 30, 2013 "Request for Extension of Time to
File Civil Appeals Docketing Statement Based on Need for
Clarification of Representation," which the court construes as

Defendants-Appellants Boston's North End Pizza Bakery, Inc. and Michael Bianchi (collectively, Appellants) late motion for extension of time to file the civil appeals docketing statement and Locricchio's response to the court's September 19, 2013 order to show cause, the "Motion to Dismiss the Appeal," filed October 10, 2013, by Appellants, the record, and there being no opposition,

IT IS HEREBY ORDERED that the motion to dismiss the appeal is granted and the appeal is dismissed. See Hawai'i Rules of Appellate Procedure Rule 42(b).

IT IS FURTHER ORDERED that the late motion for extension of time to file the civil appeals docketing statement is denied as moot.

IT IS FURTHER ORDERED that no further action will be taken on the September 19, 2013 order to show cause.¹

DATED: Honolulu, Hawai'i, October 24, 2013.

Chief Judge

Associate Judge

Associate Judge

¹ Locricchio filed the notice of appeal on Appellants' behalf and has been their counsel of record throughout this appeal. Hawai'i Rules of Appellate Procedure Rule 3.1(b) requires a civil appeals docketing statement to be filed with a notice of appeal in cases where a civil appeals docketing statement is required, and Locricchio failed to comply in this instance. Locricchio is cautioned that future failure to comply may result in an order to show cause and sanctions.