

NO. CAAP-13-0001264

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

CYNTHIA K. IRVINE, Plaintiff-Appellant,  
v.  
THE BANK OF NEW YORK MELLON, et al., Defendants-Appellees  
and  
Doe Defendants 1-10, Defendants

APPEAL FROM CIRCUIT THE COURT OF THE THIRD CIRCUIT  
(CIVIL NO. 10-1-1061K)

ORDER DISMISSING THE APPEAL

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

Upon consideration of the January 29, 2014 "Stipulation for Dismissal of Appeal" between Plaintiff-Appellant Cynthia K. Irvine and Defendants-Appellants The Bank of New York Mellon, etc., et al., and the records and files herein, pursuant to Rule 42 of the Hawai'i Rules of Appellate Procedure (HRAP), it appears that the record on appeal has not been docketed. Therefore, pursuant to HRAP Rule 42(a), which is applicable where no record on appeal has been docketed,

**NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER**

IT IS HEREBY ORDERED that the appeal is dismissed.  
The parties shall bear their own appellate costs and fees.

DATED: Honolulu, Hawai'i,

Presiding Judge

Associate Judge

Associate Judge