

NO. CAAP-13-0003278

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

THE BANK OF NEW YORK MELLON,
f/k/a The Bank of New York as TRUSTEE FOR THE
CERTIFICATEHOLDERS CWABS, INC., ASSET-BACKED CERTIFICATES,
SERIES 2005-10, Plaintiff-Appellee,

v.

CYNTHIA KAY IRVINE, et al., Defendants-Appellants,
and
JOHN DOE or JANE DOE, ALL PERSONS RESIDING WITH AND ANY PERSONS
CLAIMING BY AND THROUGH OR UNDER THEM, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 3RC13-1-084H)

ORDER DISMISSING THE APPEAL

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

Upon consideration of the January 28, 2014 "Stipulation for Voluntary Dismissal of Appeal" between Defendants-Appellants Cynthia K. Irvine, et al. and Plaintiff-Appellee The Bank of New York Mellon, etc., 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NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER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