

NO. CAAP-16-0000552

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

NATIONSTAR MORTGAGE, LLC,
Plaintiff-Appellee,
v.
FRANCISCO ABBALOG DOMENDEN and ROSALY ANTOLIN DOMENDEN,
Defendants-Appellants,
and
FIA CARD SERVICES, N.A., COUNTY OF KAUAI,
Defendants-Appellees,
and
JOHN DOES 1-50, JANE DOES 1-50, DOE PARTNERSHIPS 1-50
and DOE GOVERNMENTAL UNITS 1-50, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT
(CIVIL NO. 12-1-0072)

ORDER

(1) RE RESPONSE TO ORDER TO SHOW CAUSE;

AND

(2) APPROVING THE FEBRUARY 16, 2017

"STIPULATION FOR DISMISSAL OF APPEAL WITH PREJUDICE"

(By: Leonard, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon consideration of Sandra D. Lynch's (Counsel) December 29, 2016 response to the December 19, 2016 order to show cause, the Stipulation for Dismissal of Appeal With Prejudice, filed February 16, 2017, by Plaintiff-Appellee Nationstar Mortgage, LLC, the papers in support, and the record, it appears

that (1) Counsel demonstrates good cause concerning her failure to timely file the opening brief or a motion for an extension of time; (2) the appeal was docketed on October 7, 2016; (3) pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b), the parties stipulate to dismiss the appeal with prejudice and bear their own costs and attorneys' fees on appeal; and (4) the stipulation is dated and signed by counsel for all parties appearing in the appeal.

Therefore, IT IS HEREBY ORDERED that no further action will be taken on the December 19, 2016 order to show cause.

IT IS FURTHER ORDERED that the stipulation to dismiss the appeal is approved, and the appeal is dismissed with prejudice. The parties shall bear their own costs and attorneys' fees on appeal.

DATED: Honolulu, Hawai'i, March 14, 2017.

Presiding Judge

Associate Judge

Associate Judge