

NO. CAAP-16-0000707

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

KP, Petitioner-Appellee, v.  
MP, Respondent-Appellant

APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT  
(FC-DA NO. 14-1-289K)

ORDER DISMISSING THE APPEAL

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

Upon review of the record, it appears that:

(1) On October 24, 2016, Respondent-Appellant MP (Appellant), pro se, filed a notice of appeal;

(2) On November 9, 2016, the family court denied Appellant's request to proceed on appeal in forma pauperis;

(3) Appellant did not file in this court a motion for leave to proceed on appeal in forma pauperis. See Hawai'i Rules of Appellate Procedure (HRAP) Rule 24(a);

(4) On January 6, 2017, the appellate clerk notified Appellant that the time to docket the record on appeal expired on December 23, 2016, the filing and docketing fees had not been paid, the record on appeal cannot be prepared without payment of

the fees or an order authorizing Appellant to proceed on appeal in forma pauperis, the matter would be called to the court's attention on January 16, 2017, for action that may include dismissal, and Appellant may file a motion requesting relief from default;

(5) Appellant did not pay the filing fees, or take any further action in this appeal; and

(6) An appeal may be dismissed where the record on appeal has not been prepared because the appellant failed to pay the required fees or obtain an order allowing the appellant to proceed in forma pauperis. HRAP Rule 11(b)(2) & (c)(2).

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.

Dated: Honolulu, Hawai'i, March 3, 2017.

Presiding Judge

Associate Judge

Associate Judge