

NO. CAAP-17-0000073

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

PENNYMAC CORP., Plaintiff-Appellee,
vs.

LOIDA R. DOMINGO aka Loida Redondo Domingo and
MANUEL P. DOMINGO aka Manuel Palilio Domingo aka Manuel Domingo,
Defendants-Appellants,
and

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.,
AS NOMINEE FOR GMAC MORTGAGE CORPORATION; and SUNRUN, INC.,
Defendants-Appellees,
and

JOHN DOES 1-10; JANE DOES 1-20; DOE CORPORATIONS 1-20;
DOE ENTITIES 1-20; and DOE GOVERNMENTAL UNITS 1-20,
Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 15-1-0621(3))

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) On February 10, 2017, Defendants-Appellants
Loida R. Domingo and Manuel P. Domingo (Appellants), pro se,
filed the notice of appeal;

(2) On April 3, 2017, the circuit court clerk filed the
record on appeal, and the appellate clerk notified the parties
that, among other things, the opening brief was due on or before
May 15, 2017;

(3) On May 8, 2017, Appellant Manuel P. Domingo filed a notice indicating he filed a bankruptcy case in the United States Bankruptcy Court, District of Hawaii, Case No. 17-00293, on March 23, 2017, which effectively stayed this appeal. See 11 U.S.C. § 362(a)(1) (2010); Hawai'i Rules of Appellate Procedure (HRAP) Rule 54(c);

(4) On June 29, 2017, Plaintiff-Appellee Pennymac Corporation filed certified copies of bankruptcy court documents indicating the bankruptcy case was dismissed and the automatic stay terminated on June 13, 2017;

(5) On August 4, 2017, the appellate clerk notified Appellants that the time for filing the opening brief had expired on July 24, 2017, see HRAP Rule 54(a), the matter would be called to the court's attention on August 14, 2017, for appropriate action, which could include dismissal of the appeal, pursuant to HRAP Rule 30, and Appellants may request relief from default by motion; and

(6) Appellants took no further action in this appeal. Therefore, IT IS HEREBY ORDERED the appeal is dismissed.

DATED: Honolulu, Hawai'i, January 23, 2018.

Presiding Judge

Associate Judge

Associate Judge