

NO. CAAP-12-0000676

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

BARBARA ELLEN SHERRILL, Petitioner-Appellant v.  
ESTATE OF THOMAS MICHAEL PICO, JR., Decedent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(PROBATE NO. 10-1-0254)

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULE 11(c)(2)  
(By: Nakamura, C.J., Foley and Leonard, JJ.)

Upon review of the record, it appears that:

(1) on July 30, 2012, Plaintiff-Appellant Barbara Ellen Sherrill (Appellant) filed a notice of appeal; (2) on August 16, 2012, Appellant's motion to proceed in forma pauperis was denied; (3) on August 29, 2012, Appellant was granted an extension to pay the filing until September 27, 2012; (4) on October 18, 2012 the appellate clerk informed Appellant that a filing fee of \$300 was due, that the filing fee must be paid by October 28, 2012, and that failure to timely pay the filing fee would be brought to the attention of the court for such action as the court deemed appropriate, including dismissal of the appeal; and (5) thereafter, Appellant did not pay the filing fee.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed, pursuant to HRAP Rule 11(c)(2).

DATED: Honolulu, Hawai'i, November 26, 2012.

Chief Judge

Associate Judge

Associate Judge