NO. CAAP-15-0000560

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

BRIAN E. BENNETT and DEBRA S. BENNETT,
Plaintiffs-Appellees,
v.
SAMUEL JONG HOON CHUNG and LINDA HYUNKONG CHUNG,
Defendants-Appellants,
and
DOES 1-10, DOE ENTITIES 1-10, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 11-1-0882-05)

ORDER
(1) DISMISSING APPEAL PURSUANT TO HRAP RULE 30
AND
(2) DISMISSING AS MOOT THE OCTOBER 23, 2015
MOTION TO DISMISS THE APPEAL OR TO SUPPLEMENT THE RECORD
(By: Nakamura, C.J., Fujise and Reifurth, JJ.)

Upon review of the record, it appears that:

(1) on August 4, 2015, Defendants-Appellants Samuel Jong Hoon

Chung and Linda Hyunkong Chung (Appellants) filed a notice of

appeal; (2) on September 15, 2015, a Notice of Entering Case on

Calendar was filed which informed Appellants that the

Jurisdiction Statement was due on September 25, 2015 and the

Opening Brief was due on October 26, 2015; (3) on November 3,

2015, a Default of Statement of Jurisdiction & Opening Brief was

filed that informed Appellants that the time to file the Jurisdiction Statement and Opening Brief had expired, that the matter would be brought to the attention of the court on November 13, 2015, that the case may be dismissed pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 30, and that relief from default should be made by motion; and (4) as of December 3, 2015, Appellants did not file the statement of jurisdiction or opening brief, or respond to the default notice.
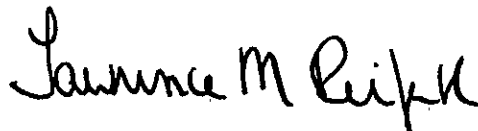
Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed, pursuant to HRAP Rule 30.

IT IS FURTHER ORDERED that Plaintiffs-Appellees Brian E. Bennett and Debra S. Bennett's October 23, 2015, Motion to Dismiss the Appeal or to Supplement the Record (**dkt# 15**) is dismissed as moot.

DATED: Honolulu, Hawai'i, **December 23, 2015.**

Chief Judge

Associate Judge

Associate Judge