

NO. CAAP-14-0001142

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

BANK OF AMERICA, N.A.,
successor by merger to Bac Home Loans Servicing,
LP FKA Countrywide Home Loans Servicing, LP,
Plaintiff-Appellee,
v.
NANCY J. HART,
Defendant-Appellant
and
AMERICAN SAVINGS BANK, F.S.B.,
Defendant-Appellee,
and
JOHN DOES 1-50, JANE DOES 1-50,
DOE PARTNERSHIPS 1-50, DOE CORPORATIONS 1-50,
DOE ENTITIES 1-50, and DOE GOVERNMENTAL UNITS 1-50,
Defendants

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 12-1-0849)

ORDER DISMISSING THE APPEAL PURSUANT TO HRAP RULE 30
(By: Foley, Presiding Judge, Leonard and Ginoza, JJ.)

Upon review of the record, it appears that

(1) On September 29, 2014, Defendant-Appellant Nancy J. Hart (Appellant), pro se, filed a notice of appeal;

(2) On November 28, 2014, the circuit court clerk filed the record on appeal, and the appellate clerk notified the parties of the due date for, among other things, the opening brief;

(3) Appellant obtained three extensions of time for the opening brief before she defaulted;

(4) On April 22, 2015, the court granted Appellant relief from default and a fourth extension of time for the opening brief to May 7, 2015. The court ordered that no further extensions shall be granted, and cautioned Appellant that failure to timely file the opening brief may result in sanctions, including dismissal of the appeal;

(5) Appellant failed to file the opening brief;

(6) On May 18, 2015, the appellate clerk informed Appellant that the time for filing the opening brief had expired and, pursuant to Hawai'i Rules of Appellate Procedure Rule 30, the matter would be called to the court's attention on May 28, 2015, for such action as the court deems proper, which could include dismissal; and

(7) Thereafter, Appellant did not file the opening brief, or respond to the default notice.

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

DATED: Honolulu, Hawai'i, June 2, 2015.

Presiding Judge

Associate Judge

Associate Judge