

NO. CAAP-15-0000476

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

HSBC BANK USA, NATIONAL ASSOCIATION, as Trustee for the Benefit  
of Peoples's Financial Realty Mortgage Securities Trust, Series  
2006-1, Plaintiff-Appellee,

v.

DIEZ MONSOUR-DEGHAN, Defendant-Appellee,  
and

ROSALIE FIESTA LAYOGAN, Defendant-Appellant,  
and

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.,  
FELICIDAD TABALBAG CORPUZ, Defendants-Appellees,  
and

JOHN DOES 1-10, JANE DOES 1-10,  
DOE PARTNERSHIPS 1-10, DOE CORPORATIONS 1-10,  
DOE ENTITIES 1-10, and DOE GOVERNMENTAL UNITS 1-10, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 12-1-2428)

ORDER DISMISSING THE APPEAL

PURSUANT TO HRAP RULES 11(b)(2), (c)(2)

Upon review of the record, it appears that:

- (1) On June 19, 2015, Defendant-Appellant Rosalie Fiesta Layogan (Appellant) filed a notice of appeal;
- (2) On June 29, 2015, the appellate clerk notified Appellant that the filing fee or a motion for leave to proceed on appeal in forma pauperis should be paid or filed by July 9, 2015, or the matter would be brought to the court's attention for appropriate action, which may include the appeal being dismissed;

(3) On August 25, 2015, the appellate clerk notified Appellant that the time to docket the record on appeal expired on August 18, 2015, the filing and docketing fees had not been paid, the record on appeal cannot be prepared without 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 September 4, 2015, for appropriate action, which may include dismissal, and Appellant may file a motion requesting relief from default;

(4) Appellant did not pay the filing and docketing fees, give security for costs, or take any further action in this appeal; and

(5) 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. Hawai'i Rules of Appellate Procedure Rule 11(b)(2), (c)(2).

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

Dated: Honolulu, Hawai'i, November 30, 2015.

Chief Judge

Associate Judge

Associate Judge