

NO. CAAP-16-0000068

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

U.S. BANK N.A., as Trustee, on Behalf of the
Holders of the Thornburg Mortgage Securities Trust 2005-4
Mortgage Pass-Through Certificates, Series 2005-4,
Plaintiff-Appellee,

v.

BLAIR D. LA MOTHE, Defendant-Appellant,
and
WELLS FARGO BANK, N.A., KENOLIO ESTATES COMMUNITY ASSOCIATION,
Defendants-Appellees,
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. 12-1-0863(2))

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 February 5, 2016, Defendant-Appellant Blair La Mothe (Appellant), pro se, filed a notice of appeal;

(2) On March 31, 2016, 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 10, 2016;

(3) Appellant did not file the opening brief, or request an extension of time;

(4) On June 2, 2016, the appellate clerk notified Appellant that the time for filing the opening brief expired and, pursuant to Hawai'i Rules of Appellate Procedure Rule 30, the matter would be called to the court's attention on June 13, 2016, for appropriate action, which could include dismissal; and

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

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

DATED: Honolulu, Hawai'i, June 15, 2016.

Presiding Judge

Associate Judge

Associate Judge