

NO. CAAP-16-0000387

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

HSBC Bank USA, National Association, as Trustee for Fremont Home
Loan Trust 2006-B, Mortgage-Backed Certificates, Series 2006-B,
Plaintiff/Counterclaim Defendant-Appellee,

v.

ASHLEY DEFOREST SMITH,
Defendant/Crossclaim Defendant-Appellant,
and

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.,
Defendant-Appellee,
and

ASSOCIATION OF APARTMENT OWNERS OF OAHU SURF I,
Defendant/Counterclaimant/Crossclaim Plaintiff-Appellee,
and

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

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 13-1-1434-05)

ORDER DISMISSING THE APPEAL

(By: Nakamura, C.J., Fujise and Reifurth, JJ.)

Upon consideration of the "Notice of Dismissal of
Appeal Without Prejudice," filed on August 4, 2016 by Defendant/
Crossclaim Defendant-Appellant Ashley Deforest Smith (Appellant)
using the docket code "NTCE," which this court construes as a
motion to dismiss the appeal, pursuant to Rule 42(b) of the
Hawaii Rules of Appellate Procedure (HRAP).

IT IS HEREBY ORDERED that the motion to dismiss is granted and this appeal is dismissed, with the parties to bear their own fees and costs.

DATED: Honolulu, Hawai'i, October 5, 2016.

Chief Judge

Associate Judge

Associate Judge