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Intermediate Court of Appeals  
CAAP-16-0000224  
11-JAN-2017  
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NO. CAAP-16-0000224

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

JOHN NELSON SPADARO, Plaintiff-Appellee,  
v.  
JENNIFER LAUREN MOORE, Defendant-Appellant,  
and  
HM HOLDINGS LLC, ASSOCIATION OF APARTMENT OWNERS  
OF MAKAHA VALLEY PLANTATION, by its Board of Directors,  
Defendants-Appellees,  
and  
JOHN DOES 1-50, JANE DOES 1-50, DOE PARTNERSHIPS 1-50,  
DOE CORPORATIONS 1-50, DOE ENTITIES 1-50,  
DOE GOVERNMENTAL UNITS 1-50, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 12-1-3010)

ORDER GRANTING THE OCTOBER 24, 2016  
"MOTION TO DISMISS APPEAL FOR LACK OF  
TIMELY FILING OF APPELLANT'S OPENING BRIEF"  
(By: Nakamura, C.J., Fujise and Reifurth, JJ.)

Upon consideration of pro se Defendant-Appellee John Nelson Spadaro's (Appellee) October 25, 2016 "Motion to Dismiss Appeal for Lack of Timely Filing of Appellant's Opening Brief" (Motion), the papers in support, the record, and there being no opposition, it appears that:

(1) The opening brief was due on a third extension of time on or before September 14, 2016;

(2) Defendant-Appellant Jennifer Lauren Moore (Appellant), pro se, failed to file the opening brief, or request another extension of time;

(3) Appellee seeks to dismiss the appeal, pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 30, because Appellant failed to file the opening brief;

(4) On December 14, 2016, the appellate clerk notified Appellant that the time for filing the opening brief had expired and, pursuant to HRAP Rule 30, the matter would be called to the court's attention on December 27, 2016, for appropriate action, which could include dismissal of the appeal; and

(5) Appellant took no further action in the appeal.

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

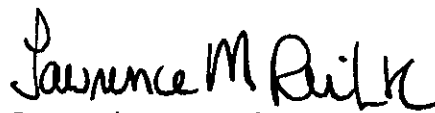
DATED: Honolulu, Hawai'i, January 11, 2017.



Chief Judge



Associate Judge



Associate Judge