

NO. CAAP-16-0000643

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

SATORU STEWARD MAEDA, Plaintiff-Appellee, v.
DANA KAY MAEDA, Defendant-Appellant

APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT
(FC-D NO. 13-1-0189)

ORDER

(1) DISMISSING THE APPEAL;

(2) COPY OF THE ORDER TO THE
OFFICE OF THE DISCIPLINARY COUNSEL;

AND

(3) SERVE A COPY OF THE ORDER ON APPELLANT

(By: Leonard, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon review of the record, it appears that:

(1) On September 28, 2016, Defendant-Appellant Dana Kay Maeda (Appellant) filed a notice of appeal;

(2) On November 28, 2016, the family court clerk filed the record on appeal;

(3) On November 29, 2016, the appellate clerk notified the parties that the statement of jurisdiction and opening brief were due on or before December 8, 2016, and January 9, 2017, respectively;

(4) Appellant did not file either document, or request an extension of time;

(5) On January 17, 2017, the appellate clerk notified Appellant that the time for filing the statement of jurisdiction and opening brief had expired, the matter would be called to the court's attention on January 27, 2017, for appropriate action, which could include dismissal of the appeal, pursuant to Hawai'i Rules of Appellate Procedure Rules 12.1(e) and 30, and Appellant may request relief from default by motion; and

(6) Thereafter, Appellant took no further action in this appeal.

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

IT IS FURTHER ORDERED that the appellate clerk shall mail a copy of this order to the Office of Disciplinary Counsel (ODC) for investigation. In referring this matter to ODC, the court does not express an opinion as to whether violations of the Hawai'i Rules of Professional Conduct or the Rules of the Supreme Court of the State of Hawai'i have occurred.

IT IS FURTHER ORDERED that, in addition to serving Appellant's counsel, the appellate clerk shall serve a copy of this order on Appellant at the address or addresses listed in the record on appeal.

DATED: Honolulu, Hawai'i, February 8, 2017.

Presiding Judge

Associate Judge

Associate Judge