

NO. CAAP-17-0000217

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

ASSOCIATION OF APARTMENT OWNERS OF PACIFIC HEIGHTS PARK PLACE,
a Hawai'i non-profit corporation, by its Board of Directors,
Plaintiff-Appellee,

v.

DONALD COURTNEY BROWN, Defendant-Appellant

and

PACIFIC HEIGHTS PROPERTIES, LLC,
Party-in-Interest-Appellant,

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 DISTRICT COURT OF THE FIRST CIRCUIT
(Honolulu Division)
(CIVIL NO. 1RC16-1-3064)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) On March 23, 2017, Defendant-Appellant Donald Courtney Brown and Party-In-Interest-Appellant Pacific Heights Properties, LLC (Appellants) filed a notice of appeal;

(2) On April 28, 2017, the district court clerk filed the record on appeal, and the appellate clerk notified the parties that the statement of jurisdiction and opening brief were due on or before May 8, 2017, and June 7, 2017, respectively;

(3) Appellants did not file either document or request an extension of time;

(4) On June 8, 2017, the appellate clerk notified Appellants 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 June 19, 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 Appellants may request relief from default by motion; and

(5) Appellants took no further action in this appeal. Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, June 29, 2017.

Presiding Judge

Associate Judge

Associate Judge