

NO. CAAP-16-0000381

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

AYAKO SHIOJI, Plaintiff-Appellee,
v.
JAMES MATSUMURA, Defendant-Appellant
and
PATRICIA MATSUMURA, Defendant-Appellee.

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 15-1-462)

ORDER DISMISSING APPEAL

(By: Nakamura, Chief Judge, Fujise and Chan, JJ.)

Upon review of the record, it appears that:

(1) On May 5, 2016, Defendant-Appellant James Matsumura (Appellant) filed a notice of appeal;

(2) On June 13, 2017, the circuit 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 June 23, 2017, and July 24, 2017, respectively;

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

(4) On August 14, 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 August 24, 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

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

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

DATED: Honolulu, Hawai'i, October 26, 2017.

Chief Judge

Associate Judge

Associate Judge