

NO. CAAP-17-0000472

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

THE BANK OF NEW YORK MELLON fka THE BANK OF NEW YORK,
as TRUSTEE FOR THE CERTIFICATEHOLDERS OF
CWALT, INC., ALTERNATIVE LOAN TRUST 2006-OA21,
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-OA21,
Plaintiff-Appellee,

vs.

ROBERT A. FARLAND, Defendant-Appellant,
and

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.,
SOLELY AS NOMINEE FOR FINANCE AMERICA, LLC;
H. LEE SHAPIRO; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.,
SOLELY AS NOMINEE FOR COUNTRYWIDE BANK, FSB;
STATE OF HAWAII-DEPARTMENT OF TAXATION;
CAPITAL ONE BANK (USA), NA.; CITIBANK (SOUTH DAKOTA), N.A.;
KENOLIO PLACE OWNER'S ASSOCIATION,
Defendants-Appellees,

and

JOHN DOES 1-50; JANE DOES 1-50; DOE PARTNERSHIPS 1-50;
DOE CORPORATIONS 1-50; DOE ENTITIES 1-50; and
DOE GOVERNMENTAL UNITS 1-50, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 15-1-0038(2))

ORDER GRANTING THE SEPTEMBER 14, 2017 MOTION TO DISMISS

(By: Fujise, Presiding Judge, Ginoza and Chan, JJ.)

Upon consideration of Defendant-Appellant Robert A. Farland's (Appellant) September 14, 2017 Motion for Voluntary Dismissal, it appears that (1) the appeal was docketed on August 7, 2017; (2) Appellant seeks to dismiss the appeal, pursuant to Hawai'i Rules of Appellate Procedure Rule 42(b);¹ and (3) there is good cause to grant the motion.

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

DATED: Honolulu, Hawai'i, October 5, 2017.

Presiding Judge

Associate Judge

Associate Judge

^{1/} Appellant seeks to dismiss the appeal, in part, because the court-appointed commissioner in the underlying foreclosure action, Civil No. 15-1-0038(2), "requested that Appellant move to dismiss this appeal." The commissioner filed a memorandum denying that he requested Appellant to dismiss the appeal.