

NO. CAAP-17-0000583

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

KMT INVESTMENT, LLC, a Hawai'i limited liability company,
Plaintiff-Appellee,

v.

GABRIEL CANENCIA; NATALIE CANENCIA; and CIARAH CANENCIA,
Defendants-Appellants

and

MARGARET YOUNG and DOES 1-10,
Defendants.

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT

(Ewa Division)

(CIVIL NO. 1RC17-1-1371)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) On August 1, 2017, Defendants-Appellants Gabriel Canencia, Natalie Canencia, and Ciarah Canencia (the Canencias) filed the notice of appeal;

(2) On September 26, 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 October 6, 2017, and November 6, 2017, respectively;

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

(4) On December 13, 2017, the appellate clerk notified the Canencias 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 December 26, 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 any request for relief from default should be made by motion; and

(5) The Canencias took no further action in this appeal.

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

DATED: Honolulu, Hawai'i, March 6, 2018.

Presiding Judge

Associate Judge

Associate Judge