

NO. CAAP-18-0000509

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

FAITH SEIM, Petitioner-Appellee, v.
BENJAMIN OLTHAFAER, Respondent-Appellant

APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT
NORTH AND SOUTH KONA DIVISION
(FC-DA NO. 18-1-064K)

ORDER DISMISSING APPEAL

(By: Leonard, Presiding Judge, Chan and Hiraoka, JJ.)

Upon review of the record, it appears that:

(1) On June 20, 2018, Respondent-Appellant Benjamin Olthafer (Olthafer), pro se, filed the notice of appeal;

(2) On August 10, 2018, the family court clerk filed the record on appeal, and on August 13, 2018, the appellate clerk notified the parties that the statement of jurisdiction and the opening brief were due on or before August 20, 2018, and September 19, 2018, respectively;

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

(4) On September 25, 2018, the appellate clerk notified Olthafer 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 October 5, 2018, for appropriate action,

which could include dismissal of the appeal, under Hawai'i Rules of Appellate Procedure Rules 12.1(e) and 30, and Moore may request relief from default by motion; and

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

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

Dated: Honolulu, Hawai'i, May 13, 2019.

Presiding Judge

Associate Judge

Associate Judge