

NO. CAAP-18-0000881

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

MARK MORELL, Plaintiff-Appellant,
v.
HYATT CORPORATION, a foreign profit corporation,
CCHH MAUI LLC, a foreign limited liability company
doing business as HYATT REGENCY MAUI,
a domestic corporation,
HYATT REGENCY MAUI RESORT AND SPA,
a domestic corporation, Defendants-Appellees,
and
JOHN DOES 1-5, JOHN DOE CORPORATIONS 1-5,
JOHN DOE PARTNERSHIPS 1-5, ROE NON-PROFIT CORPORATIONS 1-5,
and ROE GOVERNMENTAL AGENCIES 1-5, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 16-1-0136(1))

ORDER DISMISSING APPEAL

(By: Ginoza, Chief Judge, Leonard and Chan, JJ.)

Upon review of the record, it appears that:

(1) Plaintiff-Appellant Mark Morell (Morell), filed the notice of appeal on November 11, 2018;

(2) On January 9, 2019, the circuit court clerk filed the record on appeal, and on January 17, 2019, the appellate clerk notified the parties that the statement of jurisdiction and the opening brief were due on or before January 22, 2019, and

February 19, 2019, respectively;

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

(4) On March 5, 2019, the appellate clerk notified Morell 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 March 15, 2019, for appropriate action, which could include dismissal of the appeal, under Hawai'i Rules of Appellate Procedure Rules 12.1(e) and 30, and Morell may request relief from default by motion; and

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

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

Dated: Honolulu, Hawai'i, May 15, 2019.

Chief Judge

Associate Judge

Associate Judge