

NO. CAAP-20-0000357

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

JACQUES BARTHOLOMEW GARRETT, Plaintiff-Appellee, v.  
ASSOCIATION OF APARTMENT OWNERS OF TERRAZZA/CORTEBELLA/  
LAS BRISAS/TIBURON, Defendant-Appellant, and JOHN DOES 1-20;  
JANE DOES 1-20; DOE PARTNERSHIPS 1-20; DOE CORPORATIONS 1-20;  
DOE ENTITIES 1-20; AND DOE GOVERNMENTAL UNITS 1-20, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 1CC191001594)

ORDER DISMISSING APPEAL

(By: Hiraoka, Presiding Judge, Wadsworth and Nakasone, JJ.)

Upon review of the record, it appears that:

(1) On May 5, 2020, Defendant-Appellant Association of Apartment Owners Terrazza/Cortebella/Las Brisas/Tiburon (**the AOA**) filed the notice of appeal;

(2) On June 12, 2020, 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 22, 2020, and July 22, 2020, respectively;

(3) The AOA failed to file either document or request an extension of time;

(4) On October 6, 2020, the appellate clerk notified the AOA 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 16, 2020, for appropriate action, which could include dismissal of the appeal, under Hawai'i Rules of Appellate Procedure Rules 12.1(e) and 30, and the AOA could request relief from default by motion; and

(5) The AOA took no further action in this appeal.  
Therefore, IT IS HEREBY ORDERED that the appeal is  
dismissed.

DATED: Honolulu, Hawai'i, April 22, 2021.

/s/ Keith K. Hiraoka  
Presiding Judge

/s/ Clyde J. Wadsworth  
Associate Judge

/s/ Karen T. Nakasone  
Associate Judge