

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-20-0000764  
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NO. CAAP-20-0000764

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

ASSOCIATION OF APARTMENT OWNERS OF  
MARINE SURF WAIKIKI, INC., a Hawai'i Nonprofit corporation,  
by its Board of Directors, Plaintiff-Appellee, v.  
NIKODEM PIKOR, Defendant-Appellant

NIKODEM PIKOR, Counterclaimant-Appellant, v.  
ASSOCIATION OF APARTMENT OWNERS OF  
MARINE SURF WAIKIKI, INC., a Hawai'i Nonprofit corporation,  
by its Board of Directors, Counterclaim Defendant-Appellee

NIKODEM PIKOR, Third Party Plaintiff-Appellant, v.  
THYSSENKRUPP ELEVATOR CORPORATION, Foreign Profit Corporation,  
Third Party Defendant-Appellee

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT  
HONOLULU DIVISION  
(CIVIL CASE NO. 1RC191003776)

ORDER DISMISSING APPEAL

(By: Ginoza, Chief Judge, Fujise and Wadsworth, JJ.)

Upon review of the record, it appears that:

(1) On December 18, 2020, Defendant/Counterclaimant/  
Third-Party Plaintiff-Appellant Nikodem Pikor (Pikor) filed the  
notice of appeal;

(2) The opening brief was due on a second extension on  
or before May 14, 2021;

(3) Pikor failed to file the opening brief or request another extension of time;

(4) On May 21, 2021, the appellate clerk notified Pikor that the time for filing the opening brief had expired, the matter would be called to the court's attention on June 1, 2021, for appropriate action, which could include dismissal of the appeal, under Hawai'i Rules of Appellate Procedure Rule 30, and Pikor could request relief from default by motion; and

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

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

DATED: Honolulu, Hawai'i, June 9, 2021.

/s/ Lisa M. Ginoza  
Chief Judge

/s/ Alexa D.M. Fujise  
Associate Judge

/s/ Clyde J. Wadsworth  
Associate Judge