

NO. CAAP-21-0000319

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

DAYNA KAULIA-WEBB, Plaintiff-Appellee, v.
OLGA BORDENYUK, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT
WAILUKU DIVISION
(DC-CIVIL NO. 2DRC-21-0000587)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) On May 12, 2021, self-represented Defendant-Appellant Olga Bordenyuk (Bordenyuk) filed the notice of appeal;

(2) On June 17, 2021, the district 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 28, 2021, and July 27, 2021, respectively;

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

(4) On August 3, 2021, the appellate clerk entered a default notice informing Bordenyuk 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 August 13, 2021, for appropriate action, which could include dismissal of the appeal, under Hawai'i Rules of Appellate Procedure Rules 12.1(e) and 30, and Bordenyuk could request relief from default by motion;

(5) The same day, Plaintiff-Appellee Dayna Kaulia-Webb filed a motion to dismiss the appeal for failure to file the statement of jurisdiction and opening brief; and

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

DATED: Honolulu, Hawai'i, September 3, 2021.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Alexa D.M. Fujise
Associate Judge