

NO. CAAP-22-0000288

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

PHILLIP LACY; CECILIA VESSEL, Plaintiffs-Appellees, v.  
JACOB A. DOWD; MELANIE Y. DOWD, Defendants-Appellants

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT  
WAILUKU DIVISION  
(CASE NO. 2DRC-22-0000333)

ORDER DISMISSING APPEAL  
(By: Ginoza, Chief Judge, Nakasone and Chan, JJ.)

Upon review of the record, it appears that:

(1) The statement of jurisdiction and opening brief were due on or before May 23, 2022, and June 20, 2022, respectively;

(2) Defendants-Appellants Jacob A. Dowd and Melanie Y. Dowd (collectively, the Dowds) failed to file either document, or request an extension of time;

(3) On June 22, 2022, the appellate clerk entered a default notice informing the Dowds 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 July 5, 2022, for appropriate action, which could include dismissal of the appeal, under Hawaii Rules of Appellate Procedure Rules 12.1(e) and 30, and the Dowds could request relief from default by motion; and

(4) The Dowds have not taken any further action in this appeal.

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

DATED: Honolulu, Hawai'i, September 27, 2022.

/s/ Lisa M. Ginoza  
Chief Judge

/s/ Karen T. Nakasone  
Associate Judge

/s/ Derrick H.M. Chan  
Associate Judge