

**Electronically Filed
Intermediate Court of Appeals
CAAP-23-0000607
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NO. CAAP-23-0000607

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

U.S. BANK NATIONAL ASSOCIATION,
NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS
TRUSTEE FOR THE RMAC TRUST, SERIES 2016-CTT,
Plaintiff-Appellant, v. LISA HIMALAYA;
ASSOCIATION OF APARTMENT OWNERS OF KONA COFFEE VILLAS;
and DOES 1 through 20, Inclusive, Defendants-Appellees.

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CASE NO. 3CC17100008K)

ORDER GRANTING MOTION TO DISMISS APPEAL

(By: Leonard, Presiding Judge, Nakasone and McCullen, JJ.)

Upon consideration of Plaintiff-Appellant U.S. Bank National Association, Not in Its Individual Capacity but Solely as Trustee for the RMAC Trust, Series 2016-CTT's (**U.S. Bank**) January 2, 2024 Notice of Dismissal of Appeal Filed October 24, 2023, which the court construes as a motion to dismiss the appeal, the papers in support, and the record, it appears that: (1) the appeal has been docketed; (2) U.S. Bank seeks to dismiss its appeal and bear its own attorneys' fees and costs on appeal; (3) no other parties have appeared in the appeal; and (4) dismissal is authorized by Hawai'i Rules of Appellate Procedure Rule 42(b).

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

Therefore, IT IS HEREBY ORDERED that the motion is approved and the appeal is dismissed. U.S. Bank shall bear its own attorneys' fees and costs on appeal.

DATED: Honolulu, Hawai'i, January 4, 2024.

/s/ Katherine G. Leonard
Presiding Judge

/s/ Karen T. Nakasone
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge