

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-23-0000563

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

ROSEL LYN ROMANCIA; CHANTELE LYNN KANANI FERNANDEZ;
SABRINA CELESTE ROBERSON, aka SABRINA ROBERSON-AGEND,
Plaintiffs-Appellees, v.
MICHAEL YELLEN, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
NORTH AND SOUTH KONA DIVISION
(CASE NO. 3DRC-22-0000507)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) The statement of jurisdiction and opening brief were due on or before December 18, 2023, and January 16, 2024, respectively;

(2) Self-represented Defendant-Appellant Michael Yellen (Yellen) failed to file either document, or request an extension of time;

(3) On January 19, 2024, the appellate clerk entered a default notice informing Yellen 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 January 29, 2024, for appropriate action, which could include dismissal of the appeal, under Hawai'i Rules of Appellate Procedure Rules 12.1(e) and 30, and Yellen could request relief from default by motion; and

(4) Yellen has not taken any further action in this appeal.

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

IT IS FURTHER ORDERED that all pending motions are dismissed.

DATED: Honolulu, Hawai'i, February 13, 2024.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Karen T. Nakasone
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge