

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-23-0000484  
06-MAR-2024  
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NO. CAAP-23-0000484

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

US BANK TRUST NATIONAL ASSOCIATION,  
AS TRUSTEE OF DWELLING SERIES IV TRUST,  
Plaintiff/Counterclaim Defendant-Appellee, v.  
RANDOLPH BAHAM,  
Defendant/Crossclaim Defendant-Appellant, and  
ASSOCIATION OF APARTMENT OWNERS OF OPUA HALE PATIO HOMES,  
Defendant/Counterclaimant/Crossclaimant-Appellee, and  
TOYOKO BAHAM; JONAH KOGEN; AMERICAN SAVINGS BANK, F.S.B.;  
MILILANI TOWN ASSOCIATION;  
STATE OF HAWAII, DEPARTMENT OF TAXATION,  
Defendants/Crossclaim Defendants-Appellees, and  
JOHN AND MARY DOES 1-20; DOE PARTNERSHIPS, CORPORATIONS,  
OR OTHER ENTITIES 1-20,  
Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 1CC181000323)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) The opening brief was due on or before December 29,  
2023;

(2) Self-represented Defendant/Crossclaim Defendant-  
Appellant Randolph Baham (**Baham**) failed to file the opening  
brief;

(3) On January 5, 2024, the appellate clerk entered a  
default notice informing Baham that the time for filing the  
opening brief had expired, the matter would be called to the  
court's attention on January 16, 2024, for appropriate action,  
which could include dismissal of the appeal, under Hawai'i Rules

of Appellate Procedure Rule 30, and Baham could request relief from default by motion; and

(4) Since the default notice, Baham has not taken any further action in this appeal.

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

DATED: Honolulu, Hawai'i, March 6, 2024.

/s/ Katherine G. Leonard  
Acting Chief Judge

/s/ Karen T. Nakasone  
Associate Judge

/s/ Sonja M.P. McCullen  
Associate Judge