

**Electronically Filed
Intermediate Court of Appeals
CAAP-23-0000746
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NO. CAAP-23-0000746

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

IN THE INTEREST OF C.N.

APPEAL FROM THE FAMILY COURT OF THE SECOND CIRCUIT
(FC-S NO. 23-1-0047)

ORDER GRANTING MOTION TO DISMISS APPEAL

(By: Leonard, Acting Chief Judge, Hiraoka and Wadsworth, JJ.)

Upon review of Petitioner-Appellee State of Hawai'i, Department of Human Services' (DHS) June 24, 2024 Motion to Dismiss for Lack of Appellate Prosecution, the papers in support, and the record, it appears that:

(1) The statement of jurisdiction and opening brief were due on or before February 2, 2024, and February 26, 2024, respectively;

(2) Mother-Appellant M.R. (M.R.) failed to file either document or request an extension of time;

(3) On March 5, 2024, the appellate clerk entered a default notice informing M.R. 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 March 15, 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 M.R. could request relief from default by motion;

(4) M.R. has not taken any further action in this appeal; and

(5) DHS seeks dismissal of the appeal due to M.R.'s default of the statement of jurisdiction and opening brief.

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

DATED: Honolulu, Hawai'i, July 8, 2024.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge