

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-24-0000169

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

WILMINGTON SAVINGS FUND SOCIETY, FSB, d/b/a CHRISTIANA TRUST,
NOT INDIVIDUALLY BUT AS TRUSTEE FOR HILLDALE TRUST,
Plaintiff-Appellee, v.
LAURA TAGUIPED, Defendant-Appellant, and
CITIBANK (SOUTH DAKOTA), N.A.;
ASSOCIATION OF APARTMENT OWNERS OF KELLY CONDOMINIUM;
STATE OF HAWAI'I - DEPARTMENT OF TAXATION, Defendants-Appellees,
and JOHN DOES 1-50; JANE DOES 1-50; DOE PARTNERSHIPS 1-50;
DOE CORPORATIONS 1-50; DOE ENTITIES 1-50; and
DOE GOVERNMENTAL UNITS 2-50, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CASE NO. 2CC121000432)

ORDER GRANTING MOTION TO DISMISS APPEAL

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

Upon consideration of Plaintiff-Appellee Wilmington Savings Society, FSB, D/B/A Christiana Trust, Not Individually but as Trustee for Hilldale Trust's (**Wilmington**) Motion for Order Dismissing Appeal (**Motion**), filed August 27, 2024, the papers in support and in opposition, and the record, it appears that:

The Motion seeks dismissal of Defendant-Appellant Laura Taguiped's appeal from the Circuit Court of the Second Circuit's October 19, 2020 Judgment (Re: Order Confirming Foreclosure Sale, Approving Commissioner's Report, Allowance of Commissioner's Fees, Attorney's Fees, Costs, Directing Conveyance and for Writ of Ejectment) (**October 19, 2020 Judgment**) because it is conditioned on and arises solely out of the December 14, 2018 Judgment and Findings of Fact, Conclusions of Law and Order

Granting Plaintiff's Motion for Summary Judgment Against All Defendants and for Interlocutory Decree of Foreclosure, which this court vacated on appeal in CAAP-19-0000019.

On December 30, 2024, while the Motion and the appeal were pending, the Circuit Court entered an order (**December 30, 2024 Order**) vacating, among other things, the October 19, 2020 Judgment, which is the subject of this appeal. On January 9, 2025, this court temporarily remanded the case and directed the Circuit Court to enter an order vacating the December 30, 2024 Order as having been entered without jurisdiction, and to enter a new order "identical in substance" to the December 30, 2024 Order.

On January 14, 2025, while on temporary remand, the Circuit Court entered the two orders, as instructed. Because the October 19, 2020 Judgment appealed-from has been vacated, this appeal is moot. See Kaho'ohano'ohano v. State, 114 Hawai'i 302, 332, 162 P.3d 696, 726 (2007) ("[A] case is moot if the reviewing court can no longer grant effective relief.") (cleaned up); e.g., In re TJ, No. CAAP-21-0000596, 2022 WL 16567553, at *1 (App. Nov. 1, 2022) (Order) ("Because the judgment from which this appeal was taken has been vacated, this appeal is now moot.").

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

DATED: Honolulu, Hawai'i, February 4, 2025.

/s/ Keith K. Hiraoka
Presiding Judge

/s/ Karen T. Nakasone
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge