

**Electronically Filed
Intermediate Court of Appeals
CAAP-26-0000321
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NO. CAAP-26-0000321

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

BANK OF NEW YORK MELLON fka THE BANK OF NEW YORK,
AS TRUSTEE (CWABS 2007-SEA2),
Plaintiff/Counterclaim Defendant-Appellee,
v.
JOSE BALON ONA, MARLENE ESPINOSA ONA,
Defendants/Counterclaimants-Appellants,
and
STATE OF HAWAII, DEPARTMENT OF TAXATION,
MIDLAND FUNDING LLC, Defendants-Appellees,
and
DOES 1 THROUGH 20, INCLUSIVE, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CASE NO. 1CC161001671)

ORDER DISMISSING APPEAL

(By: Nakasone, Chief Judge, Wadsworth and Gluck, JJ.)

Upon review of the record, it appears that:

(1) On April 13, 2026, self-represented
Defendants/Counterclaimants-Appellants Jose Baylon Ona and

Marlene Espinosa Ona (together, **Onas**) filed the notice of appeal in this case;

(2) On April 13, 2026, the circuit court clerk notified the Onas that the filing fees had not been paid, and cautioned them that failure to pay the fees or request a waiver may result in the appeal being dismissed;

(3) The record on appeal was due on or before June 12, 2026, see Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 11(b)(1), but was not filed because the Onas failed to pay the filing fees or obtain a fee waiver;

(4) On June 17, 2026, the appellate clerk entered a default of the record on appeal, informing the Onas that the time to docket the appeal had expired, the Onas had not paid the filing fees or obtained an order allowing them to proceed on appeal in forma pauperis, the matter would be brought to the court's attention on June 29, 2026, for action that may include dismissal of the appeal, and the Onas could seek relief from default by motion; and

(5) The Onas have not taken any further action in this appeal. An appeal may be dismissed where the record on appeal has not been prepared because the appellant failed to pay the required fees or obtain an order allowing the appellant to proceed in forma pauperis. HRAP Rule 11(b)(2), (c)(2).

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

DATED: Honolulu, Hawai'i, June 30, 2026.

/s/ Karen T. Nakasone
Chief Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Daniel M. Gluck
Associate Judge