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Intermediate Court of Appeals  
CAAP-13-0006257  
23-DEC-2014  
08:06 AM

NO. CAAP 13-0006257

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

CAPITAL ONE BANK (USA), N.A., Plaintiff-Appellee,  
v.  
SOLOMON D. NALUAI and MELCO HAWAII PRODUCTIONS,  
Defendants-Appellants

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT  
HONOLULU DIVISION  
(CIVIL NO. 1RC11-1-9982)

ORDER GRANTING THE NOVEMBER 29, 2014  
MOTION TO DISMISS APPEAL AS MOOT

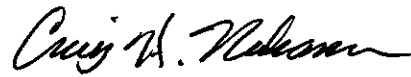
(By: Nakamura, C.J., Fujise and Reifurth, JJ.)

Upon consideration of "[Plaintiff-Appellee Capital One Bank (USA), N.A.'s (**Appellee**)] Motion to Dismiss Appeal as Moot" (**Motion to Dismiss**), filed on November 29, 2014, the papers in support, and the record, and noting no opposition, it appears that on remand, the District Court of the First Circuit, Honolulu Division, vacated the November 26, 2013 Judgment from which the appeal in No. CAAP-13-0006257 lies; and therefore, the appeal is moot. See Kona Old Hawaiian Trails Grp. v. Lyman, 69 Haw. 81, 87, 734 P.2d 161, 165 (1987); Kaho'ohanohano v. State, 114 Hawai'i 302, 332, 162 P.3d 696, 726 (2007).

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

Therefore, IT IS HEREBY ORDERED that the Motion to Dismiss is granted. The appeal in No. CAAP-13-0006257 is dismissed.

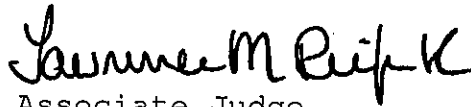
DATED: Honolulu, Hawai'i, December 23, 2014.



Chief Judge



Associate Judge



Associate Judge