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Intermediate Court of Appeals
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NO. CAAP-15-0000908

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

CONNIE KENNEMER FIDLER, Petitioner-Appellee, v.
ROBERT LAWRENCE FIDLER, Respondent-Appellant

APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT
(FC-DA NO. 15-1-649)

ORDER DISMISSING APPEAL PURSUANT
TO HRAP RULES 11(b)(2) and (c)(2)

(By: Foley, Presiding Judge, Leonard and Ginoza, JJ.)

Upon review of the record, it appears that:

- (1) On November 25, 2015, Respondent-Appellant Robert Lawrence Fidler (Appellant), pro se, filed a notice of appeal;
- (2) On December 23, 2015, the appellate clerk notified Appellant that the filing fee was due, and failure to pay the filling fee or file a motion for leave to proceed on appeal in forma pauperis would be brought to the court's attention for appropriate action, which may include the appeal being dismissed;
- (3) On February 5, 2016, the appellate clerk notified Appellant that the time to docket the record on appeal expired on January 25, 2016, the filing and docketing fees had not been paid, the record on appeal cannot be prepared without the fees or an order authorizing Appellant to proceed on appeal in forma pauperis, the matter would be called to the court's attention on February 16, 2016, for appropriate action, which may include dismissal, and Appellant may file a motion requesting relief from default;

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

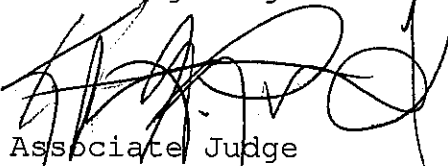
(4) Appellant did not pay the filing and docketing fees, or take any further action in this appeal; and

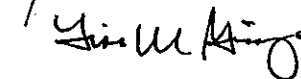
(5) An appeal may be dismissed where the record on appeal has not been prepared because the appellant failed to pay the required fees or obtain an order allowing the appellant to proceed in forma pauperis. Hawai'i Rules of Appellate Procedure Rule 11(b)(2), (c)(2).

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

Dated: Honolulu, Hawai'i, February 24, 2016.


Daniel R. Foley
Presiding Judge


Associate Judge


Associate Judge