

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-21-0000433

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

MAYUMI A. MORROW, Petitioner-Appellee, v.
DAVID P. MORROW, Respondent-Appellant

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-DA NO. 21-1-0507)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) On July 22, 2021, self-represented Respondent-Appellant David P. Morrow (Appellant) filed the notice of appeal without the fees required by Hawai'i Rules of Appellate Procedure (HRAP) Rule 3(a);

(2) On August 6, 2021, the appellate clerk filed a notice of non-payment, instructing Appellant to pay the filing fee or seek a fee waiver on or before August 16, 2021;

(3) The record on appeal was due on or before September 20, 2021. See HRAP Rule 11(b)(1);

(4) On September 28, 2021, the appellate clerk entered a default of the record on appeal, informing Appellant that the time to docket the appeal had expired, he had not paid the filing fee or obtained an order allowing him to proceed on appeal *in forma pauperis*, the matter would be brought to the court's attention on October 8, 2021, for action that may include dismissal of the appeal, and he could seek relief from default by motion;

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(5) Appellant took no further action in the appeal; and

(6) 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, October 18, 2021.

/s/ Katherine G. Leonard
Presiding Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Karen T. Nakasone
Associate Judge