

**Electronically Filed
Intermediate Court of Appeals
CAAP-11-0000563
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NO. CAAP-11-0000563

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

THE BANK OF NEW YORK MELLON,
FKA THE BANK OF NEW YORK AS TRUSTEE FOR
BEAR STEARNS ASSET BACKED SECURITIES TRUST 2006-SD4,
ASSET-BACKED CERTIFICATES, SERIES 2006-SD4, Plaintiff-Appellee,
v.

JIMIT H. MEHTA, Defendant-Appellant,
and

CENTRAL PACIFIC BANK ASSOCIATION OF
APARTMENT OWNERS OF PRINCEVILLE LOT 6 CONDOMINIUM;
JOHN DOES 1-10; JANE DOES 1-10; DOE PARTNERSHIPS 1-10;
DOE CORPORATIONS 1-10; DOE ENTITIES 1-10; and
DOE GOVERNMENTAL UNITS 1-10, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT
(CIVIL NO. 09-1-0123)

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULE 30
(By: Foley, Presiding Judge, Fujise and Leonard, JJ.)

Upon review of the record, it appears: (1) on July 22, 2011, Defendant-Appellant Jimit H. Mehta (Appellant) filed a notice of appeal; (2) the record on appeal was filed on September 20, 2011 and the appellate clerk informed Appellant that the statement of jurisdiction was due September 30, 2011 and the

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

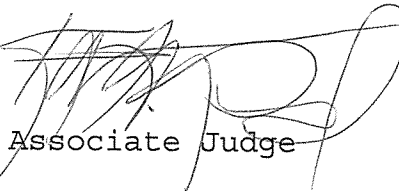
opening brief was due October 31, 2011; (3) Appellant filed the jurisdictional statement; (4) Appellant obtained a clerk's extension and the opening brief became due November 30, 2011; (5) on November 30, 2011, Appellant filed a Notice of Settlement to inform the court that the parties settled the underlying case and that the appeal would be dismissed; (6) when Appellant did not take steps to dismiss the appeal or file the opening brief, the appellate clerk informed Appellant that: (a) the opening brief was in default; (b) the matter would be called to the attention of the court on March 31, 2012 for such action as the court deems proper; and (c) the appeal may be dismissed; and (7) Appellant did not respond to the default notice or take any further action in this appeal.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed pursuant to Hawai'i Rules of Appellate Procedure Rule 30.

DATED: Honolulu, Hawai'i, April 12, 2012.


Daniel R. Foley
Presiding Judge


Associate Judge


Associate Judge