

Ongelungel v. Tem, 2 ROP Intrm. 5 (1989)
BODECH ONGELUNGEL,
Appellant,

v.

SILANG TEM and
SALVADOR REBLUUD,
Appellees.

CIVIL APPEAL NO. 1-86
Civil Action No. 8-84

Supreme Court, Appellate Division
Republic of Palau

Ruling and order
Decided: December 13, 1989

Counsel for Appellant: Kaleb Udui

Counsel for Appellees: Yukiwo P. Dengokl

BEFORE: MAMORU NAKAMURA, Chief Justice; LOREN A. SUTTON, Associate Justice;
and FREDERICK J. O'BRIEN, Associate Justice Pro Tem.

NAKAMURA, Chief Justice:

Appellant filed the Notice of Appeal herein on January 6, 1986. The Clerk of Court notified Appellant of the estimated cost of the transcript on April 3, 1986. Appellant never paid that cost, moved for an extension of time to pay, or moved to proceed in forma pauperis. He took no further steps to perfect his appeal.

On July 11, 1986, Appellees moved to dismiss the appeal, and re-filed that motion on December 11, 1987. Appellant did not respond in writing to either motion.

It is patently obvious that when Appellant had not paid the cost of the transcript within 20 days, as required by ROP R. App. Pro. 10(b), nor filed **16** by then a motion for an extension of time to pay for the transcript, or a motion to proceed in forma pauperis, that he had abandoned his appeal. In *Echerang Lineage v. Tkel, et al.*, (App. Div. October 21, 1988), we ruled that an appellant who timely filed a notice of appeal and timely paid the cost of transcript, but then did nothing for nineteen months after the Clerk of Courts notified him that the transcript could not be completed because of problems with the tape recorded testimony, had abandoned his appeal. That appellant also failed to file a written response to the appellees' motion to dismiss, as is true of Appellant herein.

Ongelungel v. Tem, 2 ROP Intrm. 5 (1989)

Accordingly, we hold that Appellant abandoned his appeal. The motion to dismiss, therefore, must be granted. This appeal is hereby DISMISSED.